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SPEECHES

of

JEFFERSON CHANDLER

"

St. Louis

Buxton & Skinner Stationery Company

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CONTENTS

Speech delivered in the Pickwick Theater,
April 1, 1890, in response to a
numerously signed call by prominent
Democrats of St. Louis.

Address delivered at Trenton, Mo., July 4, 1890.

Speech before the Washington State Association
of Democratic Societies at Tacoma,
August 27, 1890.

Argument before the Committee on Post-
Offices and Post-Roads of the Senate
of the United States against pending
bills to exclude business communica-
tions of lawful state corporations
from the United States mails, and to
establish by Congress a censorship of
the press.

SPEECH

OF

JEFFERSON CHANDLER,

Candidate for the United States Senate,

DELIVERED IN THE

PICKWICK THEATER,

APRIL 1, 1890,

IN RESPONSE TO A NUMEROUSLY SIGNED CALL BY PROMINENT
DEMOCRATS OF ST. LOUIS.

ST. LOUIS:

BUXTON & SKINNER STATIONERY COMPANY,
1890.

ST. LOUIS, March 22, 1890.

Honorable Jefferson Chandler, St. Louis :

DEAR SIR—We, the undersigned, recognizing your eminent abilities, respectfully request you to favor us and the people of this city with an address upon the political issues and economic questions of the day. Awaiting your early reply and naming the time and place, we remain,

Respectfully yours,

EDW. A. NOONAN,	D. H. ARMSTRONG,	A. P. STODDARD,
W. H. MAYO,	R. C. PATE,	P. J. CARMODY,
J. H. BEDELL,	Hy C. BROCKMEYER,	D. C. HORNSBY,
S. C. BUNN,	JOHN R. THOMAS,	G. C. WRIGHT,
A. C. CASSIDY,	E. M. BOSLEY,	F. G. FLANAGAN.
WM. C. CLEMONS,	F. W. MATHIAS,	JOHN CULLINANE,
J. B. McCORMICK,	D. P. O'BRIEN,	JNO. P. BOOGHER,
A. J. GOODBAR,	C. W. PEARSON,	J. W. BERGFELD,
R. R. SOUTHER,	H. W. WESTBROOK,	JNO. S. BROWN,
B. F. STEELE,	W. G. BUCHANAN,	THOS. E. STRIBLING,
GEO. M. BRANCH,	W. W. THORNTON,	B. PIKE,
CORTEZ A. KITCHEN,	ARTHUR LEE,	THOS. A. RUSSELL,
JAS. E. YEATMAN,	JAS. J. SPAULDING,	W. P. BENTLEY,
R. B. SWIFT,	H. AMES,	JOSEPH D. LUCAS,
SOL. G. KITCHEN,	W. McCLELLAND,	ALEX. CUDMORE,
WM. M. SIMPSON,	JOSEPH BROWN,	ANDREW HALEY,
W. G. BROWN,	MARK A. SHIPLEY,	A. M. SULLIVAN,
GEO. W. LUBKE,	T. W. HACKETT,	ROBT. M. JENNINGS,
WM. A. MEAGHER,	J. R. CLAIBORNE,	J. L. LETT,
CHAS. G. GONTER,	T. J. WOODWARD,	W. A. McCLELLAND,
MURRY CARLETON,	W. P. MACKLIN,	JOHN J. O'BRIEN,
JOHN McCAFFERY,	E. F. SHAW.	JOHN MARTIN,
W. R. STUBBLEFIELD,	RICHARD HANLON,	JNO. C. OLIVER,
THOS. C. GRACE,	CHARLES CLARK,	W. H. HUMPHREYS,
W. B. NEILSON,	JOE. WEBER,	O. P. YATES,
T. T. HATHAWAY,	M. A. WOLFF & CO.,	W. S. ABBOTT,
JOHN B. O'MEARA,	H. L. EDMUNDS,	W. H. LEE,
E. C. DONK,	THOS. E. BARRETT,	ED BUTLER,
JOHN J. O'NEIL,	JAS. J. CARLISLE,	EDW. R. FEUERBORN,
WM. FREUDENAU,	MICHAEL K. McGRATH, and others.	

ST. LOUIS, March 24, 1890.

Messrs. Edward A. Noonan, David H. Armstrong, Henry C. Brockmeyer, and the above named gentlemen: I take pleasure in complying with your request and denote Tuesday evening, April 1, as the time, and Pickwick Theater, on Washington and Jefferson Avenues, as the place for such address.

Respectfully yours,

JEFF CHANDLER.

SPEECH OF JEFFERSON CHANDLER.

MR. CHAIRMAN AND FELLOW-CITIZENS :

The Democratic party in former years was the great intellectual force of the country. Its primacy in politics was admitted. Its theories of government are graphically set forth in the Declaration of Independence, and later in the constitutional system under which we live. This system, the first, built upon Democratic foundations, expresses the ripest wisdom of the world. For three-quarters of a century the country developed under Democratic control to a degree unparalleled in history. By its matchless diplomacy it added vast territory to the possessions of the Union which was subsequently admitted into the family of States upon terms of equality with all the others.

The Louisiana purchase was made by Jefferson, including all that country west of the Mississippi not occupied by Spain, as far north as the British territory, and contained the States of Arkansas, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska and Oregon, the Indian Territory, the Dakotas, Colorado, Idaho, Montana, Washington and Wyoming. Ohio came into the union under Jefferson; Louisiana, Indiana and Mississippi, under Madison. Illinois, Alabama, Maine and Missouri, under Monroe. Arkansas and Michigan under Jackson. Florida under Van Buren. Wisconsin under Polk. Minnesota, Oregon and Kansas under Buchanan. The Democracy also acquired an immense region of country lying on the Pacific. In its prime, before the war, its aggressiveness and progressiveness was the admiration of the world.

Over all its centers of thought floated the flag of forensic liberty. It held out equal opportunities to the young men of the country. If they possessed the impulses of genius, or felt an interest in public affairs, they were welcomed to a free appropriation of opportunities for advancement. It made itself invincible by exciting in its favor the enthusiasm of the best blood in the country. The flag of the country was its flag, the growth of the country was its growth, and its ranks were recruited from those who made the doctrines of liberty a study.

Missouri came into the union soon after the Democracy began its career. This State was peopled by the purest type of Democracy. It possessed a genius in its public men, coming to it from the North and

South alike, undimmed by comparison with that of any other part of the Union. From the beginning of its history it has continued Democratic whenever its people were allowed to vote. Its politics were uncorrupted by money and was free from dictation.

While these conditions of equality prevailed the party grew with the growth of the State. Its majority increased as enlightenment became more general and population more numerous. To-day, however, the party is weighed down with the languor of threatened dissolution.

Its splendid ambition is clouded, its discipline impaired, and its chivalry broken. The reign of reason is overthrown and in its place is enthroned the boss.

In 1884 this State gave a majority for President of about thirty thousand. In 1888, though the same candidate was again before the people, sustained by the prestige of a splendid administration, the majority shrunk to 2,500. St. Louis, always theretofore reliably Democratic, gave an opposition majority of nearly ten thousand. The increased vote of the State between 1884 and 1888 was eighty thousand; of this increase the Democrats secured twenty-six thousand, and the opposition fifty-four thousand. On the gubernatorial vote, the opposition to the Democratic party cast six thousand more votes than were received by the Democratic candidate.

The cause of this decay is the assumption by a combination of men in this State, supported by a flighty and unscrupulous newspaper, that they own the party. This combination, with its headquarters at St. Louis, meets in star-chamber seclusion to select among the members thereof candidates for the most desirable offices to be filled. The newspaper part of the combination is used as a brutal bludgeon to suppress competition. High-minded men, though not naturally timid, shrink from billingsgate and oppressive politics. They abate their interest in a party dominated by intrigue.

This is not the time for such politics. Society is shaken throughout by agitation. There is more reading and original thinking done at this time than at any previous period in our history. Old political practices are under re-examination; organizations of men exist everywhere to help each other think. Knowledge is pouring in upon the world from every quarter. How impotent then is it at this time to combine against the power of accumulated knowledge.

Pure Democracy consists in preserving the individual from oppression. It secures freedom of thought and of speech; it preserves the right to life, liberty, property and the pursuit of happiness. The government is a guarantee by all men that each individual shall rest secure in his rights and enjoy the fruits of his own industry. Democratic philosophy describes an area of personal liberty, within which, each individual is his own governor. Within that area of personal liberty, his own judgment is supreme, and the State cannot rightfully dispute with him, how he shall govern himself. This philosophy declares that governments are

instituted to secure to man the endowments received by him from his Creator, and that when governments cease to do this, their authority ceases. The first principle of this philosophy assumes that the faculties of the human mind cannot discharge their functions as long as their freedom is denied. Hence, free thought and free speech are the jewels of Democracy.

In a Democratic government, each individual exercising the elective franchise is a trustee in part of the great political estate, descended to us from our ancestors. This trust is not in behalf of himself alone, but extends to all beneficiaries of the government, whether they are eligible under the law to vote, or not. This trust cannot be bought or sold. It cannot be perverted or corrupted in any individual instance without injury to the whole estate. The great offices created by the Constitution and laws are executive instruments of this trust. In them no one has a private right beyond the specific period for which he was chosen to office. Neither can one justly use the official influence of one office, to procure for himself another.

These propositions being true, it follows that whenever a set of men combine among themselves, while in office, and with newspapers, to use their joint influence to parcel out among themselves the principal places of political power for the future, and agree with each other to brow-beat and slander all who do not agree in design with them, they are enemies of Democracy. It does not matter how vehemently or boisterously they may lay claim to be Democrats. The test of Democracy is found in loyalty to the principles of Democracy, and not in adopting the name of Democrats to overthrow the principles of liberty.

The press is recognized by our constitutional system of government as a great power for good, and hence its freedom is guaranteed. The constitutional guarantee, however, must be construed in harmony with the scheme of government, of which that guarantee forms a part. The guarantee of freedom of the press, being a part of a government, whose endurance depends upon free speech and pure elections, cannot be construed to permit newspapers to become members of a conspiracy to subvert free speech and to destroy pure elections. Nor does such guarantee uphold newspapers in vulgar and false assaults upon individuals. Papers prosecuting a career of venality and vulgarity, do not come within the constitutional guarantee.

The very essence then of political power in this country is absolute fearlessness of the citizen to discuss the welfare of the community of which he forms a part. Democratic government cannot subsist without this. He who destroys it is an incendiary in politics.

RACE ISSUE AND THE SOLID SOUTH.

For years, the Solid South has been the political topic most discussed by the Republican party. The Southern people have been held up to the observation of the American public as contumacious, and as cherishing a

lingering resentment to the government itself. The only basis of fact for this charge is that the South has not sympathized with the legislation enacted by the Republican party against it. It has opposed acts of Congress with great persistency which violated the Constitution of the United States. An analysis of the situation will show this.

State and Federal Governments are dedicated, in their unity, to two sovereign objects. First, to personal liberty, and second to local self-government. The latter is built into and made a part of the constitutional system in which personal liberty is defined, and is the means by which the former is preserved. Personal liberty and local self-government are so unified in our civilization that one cannot survive the downfall of the other. The latter is the means of preserving the former. Hence the Democratic dogma of State sovereignty in the domestic affairs of the State, is a constitutional dogma, and holds supremacy in the politics of this country. This dogma, if obeyed, gives peace to the country; the denial of it produces strife.

The Democratic party can never surrender or subordinate this great constitutional doctrine to other issues without deserting Democracy itself. Race controversy springs from a cultivated contempt for this dogma, and for State and local authority. The Republican party, since the war, has used the colored race to overthrow State jurisdiction, and to build a government on the ruins of the Federal Union, unknown to the Constitution. This can be demonstrated so clearly that its truth will not be denied. This scheme, though baffled, is not yet abandoned. Until finally frustrated the sovereign issue in the politics of the country will be, not a tax schedule, but the preservation of local and constitutional government. If, as is stated by some claiming to be Democrats, self-preservation is not the first law of constitutional government, as it is the first law of nature, but that taxation is the chief end of man, then interest in constitutional questions will subside, and when a tax schedule is fixed, Democracy will die.

Whenever race conflict and local disorder have appeared in the South, since the war, they have been the product of an effort to subjugate State governments in the alleged interests of the negro. When reconstruction had been accomplished the Republican party feared a decline in its ascendancy unless it could secure for itself for all time the colored vote. At that time the races, as admitted by Senator Ingalls in his late speech in the Senate, were living in harmony. There was no existing reason why that harmony should not continue. Both races lived under laws which applied to both alike. Had the races co-operated in maintaining the laws free from outside interference, there is no evidence that they would have divided on the line of race. It is said also by Senator Ingalls, in the same speech above mentioned, that if the colored man would now vote the Democratic ticket, there would be no race conflict in this country. This proposition is true. The races have been arrayed against each other by partisan and unconstitutional legislation, enacted by the Republican

party to secure the vote of the negro. The races being in harmony before this legislation was enacted, and it being now admitted that harmony would still prevail if the negro were a Democrat, it would seem to follow that the influences which have operated upon him to separate him from the Democrats are the cause of race dissension. It is believed that the legislative and judicial history of the country since the war verify this conclusion. If to vote the Democratic ticket by the negro would extinguish race irritation, as is stated by Senator Ingalls, then the present differences between the races is political only, for they would remain distinct as races after the negro became a Democrat. The Republican party began its political operations upon the colored people as a class, to divide them from the white Democrats of the South in 1870, and continued this effort from that time down to the election of President Cleveland.

In 1870 the Republican party, then being in supreme control of the Federal Government, assumed, for the first time in the history of the Government, that Congress possessed jurisdiction over the election machinery of the several States. To carry out this assumption Congress enacted that no State election should be final until federal officers so declared. This legislation attempted to transfer to the Federal Government final decision in cases of State elections for State officers. This statute was ostensibly enacted for the benefit and protection of the colored voters of the South. It had a double effect on the negroes. It operated to degrade the State in their opinion and to convince them that the State could not be relied upon to do them justice, and that their only hope was in the Federal Government, administered by the Republican party. Being thus honestly impressed, they became solidly Republican and contemptuous of the State in which they lived. The law disclosed to the whites of the South the fact that the negro was being used as a means of dismantling the State and the substitution of Federal authority in place of State authority, under circumstances not justified by the Constitution, as they understood it. Hence the white race, moved by devotion to Constitutional Government, opposed this legislation. Their irritation was excited against the blacks because it appeared to the whites that the blacks were being used by the Republican party to destroy local Constitutional Government in the South. Under this so-called legislation prosecutions arose and were continued throughout the entire South. For a period of more than five years great tumult and industrial paralysis prevailed, at the end of which period the law was declared unconstitutional. The Supreme Court of the United States, composed of judges appointed exclusively by Republican presidents, held that "The statute contemplated a most important change in the election laws. Previous to its adoption the States, as a general rule, regulated in their own way all the details of the election. They prescribed the qualifications of voters and the manner in which those offering to vote at an election should make known their qualifications to the officers in charge. This act interfered with this practice and prescribed rules not approved by the laws of the States." The court

concluded that the enactment was without constitutional support and therefore void.

Later on the Republican party, wishing still to hold the negro vote, attempted to extend the jurisdiction of federal courts in cases affecting the colored man, to acts which had theretofore been exclusively within State jurisdiction. This later enactment was presented to the colored people of the South as a new pretence on the part of the Republican party, that they alone were the friends of the negro, and that the colored man must look to that party and the Federal Government for protection. This legislation had the same effect to array the races against each other as the first, and to add to the distrust in the mind of the negro of State governments, and to exasperate him against the whites, who universally opposed the statute. The whites believed the pretended law a violation of their rights and were affected by it as they had been by the previous enactment, and contested its validity at every step. During the agitation over it the South was most bitterly denounced for its opposition to what the Republicans were pleased to call salutary legislation in the interest of liberty. This statute had the same practical history as the first. It filled with agitation and disquiet a period of five years before it reached the Supreme Court of the United States, when and where it was declared to be in violation of the Constitution of the United States.

This was followed by what is known and remembered as the Civil Rights Bill, which, in terms, invaded State jurisdiction. It put local transportation companies, theatres, hotels and public institutions under legislative and judicial control of the Federal government. It would be wearisome to recite the incidents of bitterness that were the offspring of this legislation. It occupied the same time in reaching a final disposition as the other enactments had respectively. It operated in the same way upon the blacks and upon the whites, keeping them divided, and added to the bitterness theretofore prevailing between them. When it reached the Supreme Court of the United States it shared the same fate as the others, the court declaring that if this legislation could be upheld, it would operate to subvert State authority utterly.

These enactments were sanctioned by the Republican press and the most eminent Republicans in the United States. They were approved by Republican executives. All of them were declared to be revolutionary and void by a Republican Supreme Court. If, under great partisian pressure, the Court had sustained them, the government to-day would be utterly changed in character from what it originally was, and local self-government throughout the Union extinguished.

The proposition now pending in Congress to change the laws relating to the election of members of the House of Representatives at Washington, whereby supervision over election of members of Congress is to be exercised by the Federal government instead of by the States, as heretofore, is an outgrowth of race agitation. Whenever the Federal government has attempted to extend its political authority into matters heretofore lying

within the exclusive jurisdiction of the State, this has been done with an alleged desire to protect the negro. There is no element of the white race whose interest is promoted by destroying local self-government, and there is no occasion to abridge State authority or to enlarge Federal power in the interest of the white race. On the contrary, local self-government promotes their highest and most rapid development. Centralization is dreaded by the white race. It is unsuited to that race; neither can it be best for the black race living in the same communities. The fact is, the black race has been made the pretext for degrading the States, and this has made the South solid.

If the native American, German, Irish or other distinct body of people were to politically solidify themselves against a great constitutional principal of government, such conduct on their part would result in precisely the same kind of conflict as exists between the whites and colored people in the South. There cannot exist in this country two systems of jurisprudence, one for the colored and one for the white man. That which is best for the white man is also best for the negro. A union of the races to uphold the common system which we now have, will extinguish race anger. The negro ought to realize that he is deeply interested in the Union as it now exists. He cannot destroy the States. When he becomes convinced of this fact, and that the Republican party has never fulfilled a single pledge made to him, but has pushed him into disaster in the South to secure the colored vote in Ohio and New York, he will adopt the remedy suggested by Senator Ingalls, become a Democrat. This, the Senator says, will bring him peace.

Remove from the South the menace of Federal interference in state affairs, and the race question will settle itself. The South is quite capable of self-government. There has never been, in the history of the world, such a spectacle of heroism and of recuperative power in any people as that manifested by the South since the war. When the great conflict was over the inhabitants of that region occupied an area of desolation. Confederate currency had ceased to be of value; gold and silver had found their way out of the country, and there was nothing to give in exchange for Union money. A numerous crippled soldiery required support from private bounty, and a recently emancipated race demanded facilities for education. In the midst of a revolutionized industrial system, the South turned its stricken face to the future and began its new career. Twenty-five years have effaced all visible signs of war. Houses have been rebuilt; farms stimulated beyond their old productiveness; mines opened up; new country brought into an exuberant fertility; public improvements have kept rapid pace with private enterprise. Added to this, the South, though assailed by furious political denunciation, persisted in cloudless loyalty to constitutional government. In a successful series of contests for their own rights she procured adjudications of the Supreme Court of the United States, saving from invasion the domestic independence of the Northern States, whose representatives assailed her State integrity.

The Northern States, to-day, owe their unimpaired State independence to the valor of the Southern people, manifested in defending their own rights. In the face of this history the bloody shirt, that scarlet curse of American politics, ought to be furled and forever hid from human observation.

SILVER COINAGE.

The Democratic party is not only committed to the preservation of the government, as defined by the Constitution, but it is pledged to so administer it that no constituent power thereof shall be executed to enrich one class or section and correspondingly oppress or impoverish another class or section. To illustrate: The Federal Government possesses power to coin money and to regulate the value thereof. This power if ignorantly or venally used may produce industrial depression. There is no power of the government more vigilantly watched by the money interests of the country than this, nor is there any power an abuse of which so profoundly disquiets industrial and producing interests. The power to regulate the value of money carries with its exercise the regulation of the value of everything that money represents. Hence if there is an unwise or unfair regulation of the value of money, every producer of values represented by money suffers. The decrease of the volume of the circulating medium increases the quantity of products and of labor given in exchange for money. Contraction of the necessary volume of currency or a refusal to expand the volume thereof, to keep pace with the increase of population and the demands of business, is protanto confiscation of property. Farmers and producers are entitled to the benefit of the abundance of gold and silver in this country. The rapid increase of gold supply, since the discovery thereof in this country, raised the prices of products and of labor. This is admitted. A decrease of the supply or of the coinage thereof would have an opposite effect. It would have been unjust to refuse to coin gold because the supply increased. The result of such refusal would have cut off the farmer and producer from the benefit of the increased supply and the consequent increase of the value of products. The American people, as a body, contributed to the discovery and development of the precious metals. They paid for the territory in which they are deposited. They constructed the railway system, mostly at public expense by land donations and government bonds, through the great mountain region where gold and silver are found. They furnished the pioneer army that discovered and developed them. Every individual living under the American flag is entitled to a part of the general development and progress of the country. If great sources of wealth are discovered and developed, which make the burdens of life lighter and the necessities of existence cheaper, it is a crime against progress to limit the good effect of such discovery and development.

Missouri, bigger than Belgium, Servia, Switzerland and the Netherlands; capable of maintaining a population of thirty millions; situated in the heart of the continent, on the greatest river in the Union, with water

communications, if improved, with the outside world; possessing a climate unsurpassed, a soil stronger in productive energy than the Valley of the Nile, with great wealth in mineral substances, and abounding in products, feels the burdens of taxation, and of municipal and private indebtedness, growing heavier upon her people as the years succeed each other. This state of things cannot endure. There must be some escape from the inequalities that weigh the people down, or statesmanship is a failure. Before relief can come to the producers of the West, the special discriminations and hardships under which they operate, must be understood.

The farmer stands in a peculiar position, under the law. All about him, in the conduct of every other enterprise than farming, corporations are employed. All other kinds of business may be transacted through and by them. Corporations have been generously and wisely created by law to facilitate the investment of capital in new enterprises. They carry in their very constitution the privilege of exemption to the stockholders, from personal liability, beyond the face value of their stock, for the debts of the corporation. If the enterprise, taken up by the corporation, succeeds, the stockholders secure profits; if unsuccessful, the loss by the corporation is limited to the value of the stock subscribed. If corporations mortgage their property, and become unable to meet their obligations, a readjustment of their debt and a reduction of interest is generally accomplished, and the corporation permitted to go on with its business. The debt or interest is reduced to the earning capacity of the corporation, and relief from the balance secured in consequence. This practice affecting corporations has become also an unwritten rule of commercial business. Merchants dealing with other merchants, in the event of the debtor's inability to pay his full indebtedness, he is generally accommodated with a reduction of the debt, and allowed to continue his credit. This plan of relief is worked out on a great scale through general business operations. Persons engaged in farming are cut out of this relief given to corporations and others. If they have unwisely borrowed money at a higher rate of interest than they can possibly pay, the law furnishes them no shelter. They must pay the entire debt or give up their property. If the times are hard and land depressed in value, an amount equal to much more than the original debt may be sacrificed to discharge the debt. This is often the case. Especially is this so under the growing depreciation of property in the West, at this time. One's ability to pay a debt depends, of course, upon his ability to procure money for that purpose.

IF THE CIRCULATING MEDIUM

is constantly diminished in the community where the debt must be paid, it becomes more and more difficult to pay the debt. It is assumed that there is about twenty-one dollars per capita of circulating medium out among the people in the entire United States. If this medium were equally distributed Missouri, having a population of about two million

five hundred thousand, would possess in circulation \$52,500,000. There is no means of ascertaining with accuracy the amount of money per capita in actual circulation in this State. The railroads of the State are mostly owned in the East. Their net earnings last year were about seventeen millions of dollars. Most of this money went East, where railroad securities are held. There is collected in this State, annually, about seven million dollars to pay internal revenue taxation. That goes to Washington. The interest on State, municipal, railroad and farm indebtedness amounts at least to about eighteen million dollars yearly. Most of this is sent into Eastern markets, where the indebtedness is held. A large amount of money is also taken out of the State annually to pay insurance premiums to Eastern insurance companies.

Under this constant diminution of the currency the amount per capita in the East is constantly increased, and the amount per capita in the West is correspondingly decreased. It is doubtful whether there is to exceed ten dollars per capita in circulation through the entire Western country. The growing difficulties of obtaining money multiply the difficulties of paying debts. If there is no relief to a great section of the country that has become involved in contracts to pay interest, burdens which it is impossible to bear, then general bankruptcy in that section must follow. If legal relief be possible from this state of things it is the first duty of the government to furnish it. It is believed that the power of government can be so exercised as in a measure, at least, to save the Western country from almost universal wreck. This relief can be partly obtained through Federal government, partly through State governments, and partly through a better understanding and management of agricultural business. The Federal government has exclusive power to coin money and to regulate the value thereof. This power implies that the value of money ought to be fixed and regulated by law, else the power would not have been given. This power is continuous and may be exercised from time to time as Congress may determine. The regulation of the value of money involves the power to affect the ability of debtors to discharge their obligation. The highest consideration that can govern the exercise of this power is the welfare of a great body of the people affected by it. No legal wrong is done by so regulating the value of money as to prevent the growing oppression of debts. The welfare and prosperity of the citizen is the sovereign object of government. The chief end of government is not to preserve austere and crushing methods of collecting debts. The preference of the law is for the citizen instead of the debt. This is illustrated in insolvent and bankruptcy legislation, from time to time enacted. Periods of depression occur, commercial and industrial despair at times prevail. During these periods legal relief is furnished to the debtor class by a legal cancellation of the debts, which, for the time being, operate to suspend business activity. This is deemed wise, in a general business way, to the end that the citizen, the initial social force, may rally again and once more enter upon the active production of wealth. That it is lawful

to so regulate the value of money as to make the payment of obligations no more difficult than when the debt was contracted, has been decided by the Supreme Court of the United States, in defining the obligation of a contract. That court says, "The obligation is to pay money which the law shall recognize as money when the payment is made. Every contract for the payment of money simply, is necessarily subject to the constitutional power of the government over the currency, whatever that power may be, and the obligation of the parties is therefore assumed with reference to that power."

Hence it is the right and legal duty of Congress to so control the value of money, by its legislation, as that the debtor class be not oppressed. If commercial conditions exist which increase the burdens of indebtedness, at the time of payment, vastly beyond what they were at the time of the creation of the debt, the power of the government should be so exercised as to mitigate such increased burdens. Money is a mere representation of value. The products of the country are the real value. Such a condition of currency, as requires larger quantities thereof to pay debts, when due, than were required to pay the same debts when contracted, is oppressive and justifies an adjustment of the value of money to such changed conditions.

In 1865 the National debt was two thousand, six hundred and eighty millions, six hundred and forty-seven thousand, eight hundred and sixty-nine dollars. At that time, wheat was worth in the market, one dollar and fifty-six cents per bushel. The entire National indebtedness could have been paid off and discharged with one thousand, seven hundred and eighty millions, three hundred and sixty-four thousand, two hundred and eighty-eight bushels of wheat. In 1889 the debt has been reduced to one thousand millions of dollars, yet, at the then price of wheat, eighty cents per bushel, one thousand two hundred and fifty million bushels of wheat were required to pay the debt. The increase of the burdens of private and municipal indebtedness between the two periods mentioned, was the same. It will be seen that two bushels of wheat in 1889, represented the value only of about one bushel of wheat in 1865.

The debts hanging over the country have become twice as difficult of payment since the war closed, as they were in 1865. In 1873, Congress, for the first time in the history of the government, demonetized silver and made gold the single standard of value.

This act was dictated by Eastern influence. The East possesses power over the West and South through its abundance of money. Any assumption that the East is superior in intelligence to the West, or wiser in statemanship, is baseless. It cannot be denied, however, that the West is dominated by the East. By controlling the standard and quantity of money, it controls the business and consequently the politics of the West. The development of silver is a Western enterprise. If freely coined into money, the despotism of gold and of the East will be broken. There is no lack of wisdom in providing an abundance of

money, nor is there danger in the double standard of gold and silver. Alexander Hamilton, among the wisest and most conservative of American statesmen, gives it as his opinion, "That a preference ought to be given to neither of the metals, gold or silver, for the money unit." He recommends that Congress attach the unit, indiscriminately to both metals. The office of money is to quicken production and arouse industry. Facilities for industrial development and progress can work no injury. Proper Federal legislation will bring relief to the depressed West, but such legislation can only be procured by the unity in support of it of the great region of country needing it.

There is nothing communistic or revolutionary in the free coinage of gold and silver. They are constitutional money. Their free coinage can be no just ground of complaint by the creditor class. Gold and silver currency rests upon the Constitution, upon Democratic adoption and upon the commendation of the most eminent men of the country, including among them, Alexander Hamilton. Free coinage of gold and silver would bring relief to the distressed agricultural interests of the West; and ought at once to be provided for.

THE TARIFF.

The tariff doctrines of the Democratic party, formulated and expressed by her ablest men, are clear and conservative. These doctrines contemplate that Federal revenue shall be supplied by customs duties, as distinguished from direct taxation, and that they be so adjusted as to preserve the better conditions of labor here, over those existing in other countries.

For twenty-five years a high rate of duties has prevailed. These duties were established by the Republican party. Rates of wages became fixed, and the price of property effected by the cost of products established under this high productive system. Democrats and Republicans alike, indeed all commerce and all classes of labor, were involved in them.

The Democracy propose to reduce these excessive tariff duties to the needs of the government economically administered. In urging a reduction, the party pledged itself to keep in mind the fact that investments had been made and rates of wages had been fixed under the circumstances above stated, and pledged itself also to reach a reduction of duties through a course of procedure that would occasion as little damage and injury to capital invested as possible. It further declared that the reduction should be so made as to cheapen the necessities of life, rather than to reduce taxation on luxuries. This has been Democratic doctrine from Jackson's day to this.

The platform of 1888 of the Republican party differs from the Democratic platform in a very extravagant degree. The Republican platform contains a declaration never before made by any party; that Congress possesses the power to prohibit, without reference to raising Federal revenue, the introduction of foreign goods into this country. It declares

that the Government at Washington may say to the people of New York, that they shall not purchase anything outside of the American Union.

Congress has power to levy impost duties for the purpose of federal revenue; it has power to regulate commerce with foreign nations. Neither of these powers, however, include the power to prohibit foreign commerce. The States reserved to themselves all that they did not grant to the Federal Government. The State of New York, in entering the Union, did not grant to Congress any power over the commerce of New York with foreign nations, except the power to tax that commerce for the purposes of revenue and to regulate the same. The legal difference between the power to regulate and the power to destroy has so often been declared, that it cannot now be claimed that such powers are identical. Hence, the position of the Democratic party on the tariff is constitutional, and the position of the Republican party is revolutionary. If this be not so, Texas, though securing a deep-water port for the purpose of commercial union with the outside world, can, after the port is established, be prohibited from using it for the purpose of foreign commerce, if Congress chooses to so declare. This doctrine takes absolute possession of the foreign trade and commerce of the respective States by Congress, and instead of taxing and regulating it, assumes power to destroy it. There is no such power in the Government.

Before the war, commerce with foreign nations was regulated to a large extent by reciprocity treaties. If a nation would agree to admit the products of this country, under a low tariff, or free, this country was willing to reciprocate.

The platform of the Democratic party pledged the party to restore this and to secure more intimate political relations with the South American countries.

The Democratic party cannot adopt the doctrine of extermination of protected industries. Neither can it pursue a revolutionary policy in regard to federal taxation. Its line of battle in 1890 and in 1892 will be as it has heretofore been in New York, New Jersey, Connecticut, the two Virginias, Indiana and Missouri. It must appeal to the conservative thought of those States for success. It cannot afford to throw itself at the feet of any man. Democracy is greater than individual. Parties forming tariff reform clubs and other unions, reflecting but a single idea, ought to disband them and in their places organize Democratic clubs. One idea, and that a subordinate one, an impracticable one, a cold, pulseless one, an idea confronted with a decisive majority against it in the United States Senate, which increased by the admission of new States, will continue for at least ten years and possibly longer, is scant political capital to wage a great battle upon. Persons suffering from mental lassitude to the degree that one idea makes them noisy, ought to seek seclusion and rest. The further proposition that one candidate with defeat is better than another candidate with success, indicates low intellectual pressure. It is said, "The shallows murmur when the deep is dumb." The tariff doctrines of

the party are well expressed in its platforms and are suited to a healthy growth and developement of American industry. These doctrines can only be of value to the country by a success of the party. A flippant indifference to success is extreme folly. The Democratic party cannot succeed as a negative party, nor as a critic merely of some other party. It must reaffirm its code of principles and have an enlightened, aggressive policy of its own to carry them into execution.

It must have Democrats in office to support a Democratic administration; it must purify the civil service by placing in power Democrats in sympathy with Democratic principles. The party possesses a membership sufficiently accomplished and patriotic to fill all offices under a Democratic administration, and to make the civil service of the highest standard of purity and efficiency.

DEPRESSION IN PRICES OF AGRICULTURAL PRODUCTS

Is charged indiscriminately to excessive impost duties. Although this may not be capable of exact proof, yet such duties being higher than are necessary to furnish revenue to the Government under an adjustment of them that will favorably effect domestic industries, they must be reduced. It does not, however, promote a correct understanding of the relations between the price of agricultural products and impost duties, to charge that high duties on imports cause low prices in agricultural products, if such is not the fact. It can be easily seen that impost duties increase the price of manufactured articles favored by such duties. It does not follow, however, that agricultural products are reduced in price because of the existence of such duties.

In order to settle upon a remedy for the depressed state of agriculture, it is necessary to discover the true cause of such depression. From 1849 to 1884, a period of thirty-five years, the increase of population was 141 per cent, while the increase in the production of wheat was 410 per cent. As is shown by United States Agricultural report of 1887, the increase in the supply of wheat in recent years in many parts of the world has been very great. In the United States for example, the increase was from 250,000,000 bushels in 1872 to 512,000,000 bushels in 1884. In 1881 the Territory of Dakota, comprising over 150,000 square miles, had not produced a single bushel of wheat for sale. In 1886 its crop was estimated by the Agricultural Department at 30,000,000 bushels, or nearly as great as the annual export of wheat from India since 1880. In 1887 the crop was 62,000,000 bushels, or $\frac{1}{7}$ of the total product of wheat of the United States. Previous to 1873 there was no trade movement in wheat between Europe and India. After the opening of the Suez Canal and the removal of an impost duty, 19,000,000 bushels were shipped to England in 1880, and 42,000,000 bushels in 1887. In 1878 the Argentine States of South America had no wheat supply. In 1887 that country exported 8,000,000 bushels. Russia for the years 1887-8 exported 112,000,000 bushels. In Austria, Hungary, the average annual wheat product for seven years,

from 1873 to 1880, was 93,000,000 bushels; but for the seven years from 1880 to 1886, it was 133,000,000 bushels.

Mr. David A. Wells, a free-trader, declares on page 175 of his recent *Economic Changes* that the experience of the years 1888 and 1889 would seem to constitute evidence almost in the nature of a demonstration of the entire accuracy of the opinion which ascribes the recent low prices of wheat mainly to a supply largely in excess of the world's requirements. Europe is practically the only market that America can have for her surplus wheat. Mr. Wells says the wheat crop of Europe is not nearly sufficient to meet the wants of its people, that if the surplus of Eastern Europe should be distributed annually in the continental States, it would nearly supply all their deficiencies, leaving practically only Great Britain to receive the imports of other continents, and consume only the surplus of the wheat markets of the world. The present average wheat crop of Europe is estimated at 1,200,000,000 bushels; her deficiency is only 140,000,000 bushels. Of this deficiency the United States supplies 100,000,000 bushels.

In 1880, the United States, Russia, India, Australia and the Argentine Republic exported a surplus of 209,000,000 bushels. Mr. Wells says further, that it is obvious, therefore, that with this limitation of market any enlargement of the surplus wheat product of the United States, must inevitably reduce its price at home and abroad. It is seen, therefore that Dakota alone produces nearly as much wheat as can be taken up from this country by the foreign markets to which we have access.

Added to the enormous supply of wheat, impost duties were increased on it in 1887 by France for the purpose of retaining to itself its own wheat market. In France the position has been taken that the only possible means of salvation for agricultural Central Europe will be for France, Germany, Austria and Italy to sink all political antipathies and from an International Custom Union to exclude all food products from Russia, Australia and America. For other cereal products of the United States, Europe's demands are comparatively inconsiderable.

The imports of European countries requiring maize, for example, do not make a sum one-half as large as the products of single States. The deficiency in France could be supplied by single countries, and Germany requires still less.

It will be seen by these figures that our exports of grain go to England principally. It may be said that if this country would import more largely from England, it would sell more agricultural products to England. This does not follow; England procures her wheat from her own colonies and dependencies, to the extent that they can furnish it to her. The deficiency is all that we can make up. If one-half the wheat produced in the country is sufficient for home consumption and to supply whatever demand there is abroad for American wheat, it needs no argument to show that the continued production of a large surplus will continue to account for low prices. We are enabled to furnish to Eng-

land wheat cheaper than it can be produced there. The wheat acreage in Great Britain fell off from about 4,000,000 acres in 1869 to 2,300,000 acres in 1887, or more than 40 per cent. Italy has decreased her wheat crop, and so did France until import duties were placed upon foreign wheat by her. It is well known that France and Germany have lately excluded American meats from their markets, which explains in some degree the decline in those products.

RELIEF OF FARMERS.

Farming must be relieved by exemptions of homesteads from taxation, and by preventing the stringency of money, and by a thorough knowledge of farming and of the markets for produce. The commerce of the world is becoming more and more unified. Higher grades of products on the farm, pay better than low grades. One blooded beef will sell for an amount equal to three of low grade. Three-fourths of the present wheat crop of the world supplies the demand, and if properly handled would bring the same amount of money to the farmer that the whole crop now brings and the waste would be avoided. A repeal of the eternal revenue system and a substitution of the State for the Federal Government as the beneficiary of the tax on consumption of liquors, would at the same rates as now prevail, divert the several millions of dollars taken out of the State and out of the circulating medium every year from the Federal to the State Treasury, and relieve the farms of the State from all taxation.

TRUSTS.

Farmers and others are entitled also to all available legal relief against trusts. Among the reasons why wheat, for instance, is cheap on the farm and dear when converted into flour, is that the owners of wheat are numerous and have no union or agreement among themselves fixing the price they will exact for it; but, on the contrary, each is working in rivalry with the other to push his crop on the market. The purchasers of wheat unify their interests in a trust, and fix a price by the trust at which they will buy. Consumers of flour have no union of interest or trust by which they can affect the price they shall pay. They act in their individual capacities as purchasers. The trust, therefore, interposes itself between the producer of wheat and the consumer of flour and dictates the price of both. The trust is the vampire that drinks deeply of the blood of both producer and consumer. Trusts exist in respect of substances affected by tariff duties, and of substances not so affected. They exist all over the world wherever capital is abundant. They are the centralization of capital. They can be legally dissolved when composed of corporations, for a corporation takes nothing beyond what is granted to it. It is granted an individual existence and is limited to individual activity. It has no power to join in a trust with other corporations. The remedy against trusts when composed of individuals is more difficult. How far individuals engaged in a common business can con-

sistent with the principles of personal liberty be restrained by the courts from agreeing among themselves upon a price at which they will buy or sell, is yet unsettled. This is a deep and perplexing problem. Whether such combinations cannot best be opposed by a union of producers holding first possession of products, is worthy of consideration.

TRANSPORTATION AND MISSISSIPPI RIVER.

One of the most irrepressible subjects in politics is that of transportation. It is claimed that railroads have been constructed in the country under a system of indebtedness representing, in many instances, twice or three times the capital actually employed in constructing the roads. If this capital is made remunerative it must be because railroads are allowed to charge such rates as will pay operating expenses and interest on this vast indebtedness. It is said in as much as every railroad draws its prosperity from the community which patronizes it, the indebtedness of a railroad is really an indebtedness of the community supporting the railroad. To extract from a community profit on a capital never invested, is to consume values produced by that community without compensation.

There are two ways to handle this subject; one is by legislation designed to reduce the rates of transportation so as to leave only sufficient revenue to constitute a just interest on the money actually invested in the enterprise. The paper issued by railroad companies heretofore was put on the market and taken up by innocent purchasers under circumstances where it is almost impossible now to discriminate between those who hold that amount of securities which are just, and that amount which might be declared excessive. Hence, there is no direct way of distinguishing between the holders of those securities which should rightfully draw interest, and those which have been issued to represent a capital never put into the railroad. To remedy this state of things by legislation will, therefore, be exceedingly difficult and involve long litigation.

The second plan of solution is to cheapen transportation by improving the water-ways of this country, so that railroads will be driven to reduce their charges to a rate that will remunerate them for the money actually invested. This would involve no hostile legislation; no protracted contest in the courts with the railroads; no danger of scandal in the Legislature through necessary legislation, but would settle the transportation question of the West on purely business principles.

The difference in cost of transportation of freight by water and by rail is enough to accomplish this end. One-half the cost of the Union Pacific Railroad to the Government would furnish deep water in the Mississippi River from St. Louis to the Gulf.

Forty-five millions of dollars will secure deep water from St. Louis to the Gulf, at all seasons of the year. The saving on a bushel of wheat to New York, by water, over the cost of transportation by rail, is at least 7 cents per bushel. Estimating that one-half of the crop is annually transported from the Mississippi Valley, a saving of 7 cents per bushel on

that half amounts on the crop raised in 1885-'86 to over eighty-eight millions of dollars. The report of the internal commerce of the United States declares that that portion of the internal trade of the country belonging to the twenty-one States and Territories tapped by the navigable portions of the Mississippi and tributaries is upward of sixteen thousand millions of dollars in value, or greater than the foreign commerce of all nations combined. In 1880 not more than one-fourth part of the area of this productive region had been improved.

These facts disclose the economic effect of improving the Mississippi River and its tributaries.

The opening of a canal across the isthmus will extend water transportation from all parts of the Mississippi River to the Pacific Ocean. One of the great advantages which England has had over other nations, is water communication with the world. The Mississippi Valley produces grain to the amount of fifty bushels for every man, woman and child in the United States. This great basin is the cheapest granary of the world. The freight earnings of the railroads of the United States during a period of five years, from '81 to '85, amount to \$2,630,652,321, an amount equal to the whole national debt at the close of the war. The railways cannot handle the products of this valley for the future. An improvement of the water-ways of the interior is an absolute essential to the relief from transportation oppression.

Missouri is the assembling and distributing center of the great grain producing region of this valley. The economic benefit to this State of unobstructed river intercourse with the South, East and West, would overcome all the burdens of taxation that now oppress her. This State, as the years of a people are counted, is in its swaddling clothes. Nature has confided to it sources of wealth, the development and husbandry of which will make destitution and want among her people impossible. The East courts this wealth, and, if unopposed, will through interest, transportation charges, federal taxes and premiums on Eastern capital, diminish the profits of business in this valley to a minimum. If, on the other hand, the cities of this State seated on its great navigable water-ways, unite their influence to fabrication here, the mineral substances and raw material of the State and the West, into articles of merchandise for distribution, this State will become the money center, as it will be the producing and political center of the West. Cheap water transportation is the key to the destiny of this State and this valley. The mountains west of the valley contain the precious metals adequate to this undertaking.

THIS STATE IS ABOUT TO ELECT A SENATOR.

This office is a part of the trust machinery of the Government. In it no one has any private interest. It is to be filled by the people through the Legislature, at the proper time and in the legal way. Its acquisition cannot be rightfully made the subject of intrigue. The theory that it is the seat of some one, is vicious and offensive to decent politics. It is open to the ambition of every citizen having the qualifications to fill it.

It cannot have escaped the observation of reading and thinking people that a new era is approaching. Within the last seven years nearly all of the great civilized countries of the world have made profound economic changes in their business and political relations with each other. European nations, by a sleepless diplomacy, are bringing under their commercial domination, all newly discovered countries whose institutions they can control. They are extending their trade relations with the far East. Japan has by treaty with England, within six months, thrown open to England's trade the vast possessions of that country. France and Germany are seeking colonial attachments to absorb their products and from which to draw their serial supplies. In the meantime they are gradually excluding from their markets, the grain and meat products of this country. Our trade conquests lie in a different direction. South of us is a vast region in political sympathy with this people and their institutions. They have practically adopted our form of government and our jurisprudence. There are no irritating questions arising between this country and that region to obstruct a thoroughly intimate industrial alliance with them. A new condition opens before this country.

New men must take hold of new conditions. The necessity for explaining the past impairs the usefulness of a statesman for the future. The Democracy must unload the gloom of the past and turn its face forward.

Against the gentleman whose term in the Senate is about to expire, I have nothing to say. I have at no time spoken disrespectfully of him, nor shall I do so in the future. As I weigh political obligations and duties, it can be no offense to him that I aspire to an office which the State alone has jurisdiction to fill. I am eligible under the Constitution to the office of Senator. I have lived in this State since boyhood, and am a Democrat. I was married here; my children were born here, and some have died here; all I own is here. My citizenship in Missouri, since 1864, has been continuous. These facts make this my home. I do not set them up, however, as giving me any claim upon the State. I make none.

I have had all these years the protection of the just laws of the State, and have enjoyed the splendid hospitality of its people. This leaves me in debt to the State. I have the right, however, in common with others, to take part in public affairs. No combination of men have jurisdiction to tread me under foot and vilify my name because I have been mentioned for an office.

I want to pay back to the State part of my obligation to it, by aiding in the restoration of free political speech in the State. I want to cancel it in part by exterminating the vandalism of ring rules. I wish to contribute to the destruction of the loathsome assumption that the destiny of this State is to remain clouded by the imbecile insolence of a few men.

On these propositions I announce myself a candidate for the United States Senate. I will submit my case to the sovereign opinion of the Democracy of this State. I acknowledge no other superior.

Is the present state of the currency
satisfactory. no



ADDRESS

OF

JEFFERSON CHANDLER,

—DELIVERED AT—

TRENTON, MO.,

JULY 4, 1890.

ST. LOUIS:

BUXTON & SKINNER STATIONERY COMPANY,

1890.

1854

THE CHURCH

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THE CHURCH

ADDRESS OF JEFFERSON CHANDLER.

DELIVERED AT TRENTON, MO.

MR. PRESIDENT, LADIES AND GENTLEMEN :

During the growth of civilization, certain days have become hallowed. These days mark great crises in history. They are consecrated by the expression of some heroic determination, or by the accomplishment of some splendid achievement. They rank in sanctity and grandeur, in proportion as the purposes declared or deeds done upon them advance the happiness and welfare of our race. Observing people know that periods occur when great bodies of men are moved to higher life by invisible tides of heroic ambition. Such manifestations of devotion to justice and liberty are sometimes called inspiration, and sometimes an overruling providence. They are impulses from the infinitude of wisdom and moral energy. They are psychological waves that break over the pathway of history. They are contributions from the unknown to the known. They authenticate the relation between God and man and prove that the builder of the universe is its governor. They show that the inhabitants of the world move on an upward career along the line of destiny, lighted from end to end by a cloudless benevolence. (The Fourth of July, 1776, is to be studied in the light of these propositions. That day stands for the introduction into the world of a new political gospel. It marks the beginning of a constitutional dispensation of liberty. There have been republics before, but not democratic republics, whose dogmas rested on solid constitutional foundations, dividing governments into separate independent departments and fixing limitations in favor of personal liberty, beyond which government could not pass.

Autocratic or oligarchic republics were instituted in the mediaeval times. Sovereign power was vested in franchised citizens, and every function, legislative, executive or judicial, not vested in that body, were exercised by parties deriving their authority from it. Their power was without system of delegation or representation. Such were the republics of Greece, Rome, Carthage, Venice, Genoa.

The Roman Republic continued 478 years—from 510 B. C. to 28 B. C. At first it was aristocratic; political power was in the hands of the nobility, from whom the consuls with the power of kings were chosen.

Struggles continued between the nobility and the people over the division of the lands and the cruel punishment inflicted on debtors, which resulted in increased privileges to the plebians and a more equal distribution of privileges. The result of this was that Rome became pre-eminently exalted above surrounding nations.

The subsequent laws declared the State to be original proprietor of all lands, and that all acquired territory should be divided among the people at large. The higher classes by connivance, occupation or purchase, obtained nearly all the lands, as well as the greatest part of all spoils of war. Large estates rapidly increased, to the disparagement of small landholders, and Rome became crowded with an idle, indigent and turbulent populace, and finally fell.

The Republic of Carthage existed from 900 B. C. to 146 B. C. It was essentially aristocratic. The official heads were two in number and held office for a year. Under them was a Senate, divided into two houses, numbering respectively 300 and 30 members, the larger body was elected by the people, and they in turn elected the 30 members. Bribery was largely practiced in these elections, and Aristotle goes so far as to say that the chief offices were objects of sale and purchase. The people had a voice in the conduct of affairs, but they were not consulted if the two chief magistrates and the Senate were agreed on a course of action.

In her zenith, Carthage was the greatest maritime power in the world, as well as the greatest empire. For 500 years her fame filled the world, but through the corruption of men in high places and the treachery of a mercenary army she was conquered by the Romans, 146 B. C.

The Republic of Greece was composed of several independent republics, each having a constitution of their own, but no central government. They were bound together by language, blood, common religious rites, social institutions and laws, which distinguished them from the barbarians around them. Sparta had a strictly aristocratic government, limited to the nobility, who possessed the land, while Athens might have been called a Democratic Republic but for the circumstance that a majority of her population were slaves, and as such excluded from all political rights. They were frequently involved in wars with each other and were finally subjugated by the Romans.

The Italian republics, which became the most flourishing and powerful commercial communities of the Middle Ages, notably Venice and Genoa, were strictly aristocratic. A number of political families, who chose from among themselves the head of the Government, called the Doge, enjoyed the monopoly of political power.

Switzerland, on becoming independent of Germany in 1648, adopted a republican form of government, of a Democratic character. In 1815 the great powers guaranteed her existence as a Federal Republic, consisting of twenty-two cantons. Since 1830, the federal as well as the Cantonal constitutions have undergone very important changes,

entirely eliminating their aristocratic features and making them conform more nearly to the United States Government.

In France, a republican form of government was adopted in 1792, which passed through violent convulsions and various transformations, until 1804, when it was supplanted by the empire of Napoleon I. The second attempt of republican government was made in 1848, but in 1852 it made room for the second empire under Napoleon III. In 1870, when Napoleon had fallen into the hands of the German forces, the republic was proclaimed for the third time. At present there are only two republics of importance in Europe—Switzerland and France.

Great Britain was nominally a Republic for eleven years from 1649 to 1660 when the Stuart dynasty was restored.

Mexico has been a republic since 1824, except during the rule of Maximilian in 1863 to 1867.

South America has ten distinct republics, viz.: Peru, Chili, Ecuador, Paraguay, Bolivia, Columbia, Venezuela, Uruguay, Argentine Confederation and Brazil. They are modeled more or less after the United States Government.

These older European governments were republics merely in name. They were mere temporary and angry protests against the tyranny of kings. Their people had little conception of the philosophy of liberty expressed in the Declaration of Independence. It was reserved to this country, through the cloudless intelligence of Jefferson, to lay bare to the world the only basis of truth and liberty upon which enduring civil government could be built. The language of the Declaration of Independence reveals that basis and defines the nature of government and its relation to mankind.

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

This philosophy establishes government upon the consent of the governed. The theory of ruler and subject is abolished. The seat of sovereign power is located in the intelligence and patriotism of the citizen. Man is assumed to inhabit the earth under endowments from his Creator, of life, liberty and the right to pursue happiness. These endowments are not derived from the State, and cannot therefore be repealed by the State. On the contrary, governments are instituted to secure these endowments. Whenever they cease to do this, respect for them ceases. The primacy of the citizen being set up as the central

dogma of the system, it follows naturally that the firmer government machinery is held in the hands of the people, the higher is the guarantee that personal liberty will be preserved. This proposition is the basis of local self-government, or the maintenance inviolate of the domestic sovereignty of the State. All things involved in the preservation of life, liberty and personal happiness, lie within local jurisdiction. The Constitution declares that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

This provision is the key to the whole system. It, in legal effect, declares that the sum of the powers of Federal and State Governments make but one government. The sovereignty of this one government is divided into two hemispheres, federal sovereignty, limited to the powers delegated to the Federal Congress, executive and judiciary. While the States are sovereign in all things not delegated and not prohibited to them, neither hemisphere of power can impair the other, nor under a wise administration of both is a conflict between them possible. Neither has legal power to frown upon, or scowl at, or distrust the other. The Constitution of the United States protects both. It establishes a protective sovereignty and contains in its very organism the constitutional duty to uphold and to refrain from diminishing, in the slightest degree, the authority of the States.

The same Constitution that confers legislative power upon Congress reserves legislative power to all the States, and that part of legislative power which is reserved to the States is to be exercised by the States, and is just as sacred and as much upheld and protected by the Constitution of the United States, and is just as legal and sovereign in contemplation of the Constitution of the United States as is that legislation which Congress enacts.

The reserved power of the State is an abstract declaration of power; it is manifested in the creation of some institution by the State, or the passage of some law by the State. When there appears in the government of the State a legal institution or law springing from that reserve power, that institution and that law comes into life under, and is commended to, the Constitution of the United States.

The States are powerless to assert themselves against the United States. So it is made the duty of the United States to preserve to the States their reserved powers. It means that that power which is reserved to the States can only be exercised by the States.

The reservation of local government in the hands of the people invincibly implies that power is safer reserved, than granted. It implies that the people rely chiefly upon themselves and not upon an official class. It asserts that they are masters in politics and not subjects. The scheme of government proclaimed in the Declaration of Independence and formulated in the Constitution of the United States is the first in the world's history,

retaining in enduring constitutional form the destiny of the people in their own hands. It is lifted up before the observation of the nations as the first whose institution rest on the natural equality of rights among men. It is distinguished from all other republics by its inconsistency with class superiority and social castes. It is the only one which, within a defined area of action, declares that each person is his own governor. It is the first to realize that truth is the product of free thought, free investigation and free speech; that knowledge enters this world only through the quickened faculties of each person. It is the first to know that nature preceded government, and that the genius of man reaches highest when manifested along the lines of divine wisdom. It assumes that civilization grows in splendor only as mankind conform to the ordinances of nature. It is the first great forensic theatre of the world, whereon all political organizations are treated with equal hospitality.

The founders of our institution profited by the knowledge that the powerful empires of the East, once so opulent, whose palaces and temples were filled with the riches of all the then known world, perished because of the insolence of their rulers and the denial by them of equal rights to the governed; because the faculties of the common people were kept enfeebled by disuse and sloth, and by exclusion from participation in the government under which they lived. They realized that real power consists in knowledge; that it was and is not sufficient to perfectly formulate the principals of government, and in addition declare the relation of man to his Creator and to his fellow man; but that it was essential to the efficiency of each participant in government that he make an individual study of the principles of liberty. The Declaration of Independence, splendid as it is, and the Constitution of the United States, perfect as it is, does not insure the government of the country, nor are these alone adequate to perpetuate the happiness of this people. They simply proclaim, in perfect phrase, correct civil dogmas. Nor was it sufficient, nor is it sufficient, that the authors of these great expressions of the principles of government had a cloudless conception of the subjects embraced within them. In addition to proclaiming the true status of man it is necessary that he understand that status and possess the knowledge and virtue sufficient to preserve it to himself.

In all the older republics the people generally were neither declared free and equal, nor were they, in fact, so treated. These so-called republics tolerated class and caste rule. They were really oligarchies. They were a great scheme of paternalism. The capacities of the people to govern themselves were kept impoverished by their exclusion from participation in government. They were consulted only when the ruling classes thought it expedient so to do. They did not share in the responsibilities of government, and hence were not enriched in the experience which comes from discharging responsibility. This people could not inherit knowledge from the past, nor could they possess it except through the discipline of their own faculties. This discipline in government

they were not allowed to have. Hence the great body of the people were subjected to conditions which produced decay rather than progress. This principal may be illustrated in individual instances. A person in perfect health may surrender himself to inactivity, suspend his arms in bandages for a period, which bandages being removed leave his limbs inanimate and lifeless. The only source of physical health is thus shown to be physical activity. This activity suspended, there is cut off the nourishment which nature furnished to perfect health. The same is true of man mentally. Select the brightest one in the community, take him before the probate court and appoint for him a guardian. Suspend the function of his will and judgment in his own welfare by withdrawing from him the power to act for himself; deny to him free thought, free speech and free action, and in a brief time decay will appear. This practice continued long enough will produce imbecility. This principle applies as well to great bodies of people as to individuals. Place over them paternalism, or class rule, suspend their liberty and original power to act along the line of their own convictions, and in a limited time their capacity to govern themselves will wither and perish. It was such paternalism and class domination of the people of the East, practiced by so-called republics, as well as by other forms of government, that subtracted from the capacity of the people to maintain their own liberty. Philosophy traces the cause of dissolution of the dead empires of the Orient, now visible only in their broken columns, ruined palaces and prostrate pillars, to their denial of equal rights to their citizens; to their enforced mental sterility, produced by the suppression in them of free thought, free speech and action. In proportion as the exclusion of the people from political activity was accomplished by dominating classes, the insolence and intolerance of such classes increased, until the desperate fury of the masses burst with tempest destructiveness through the false fabric of government.

It is often said that nations fall by God's displeasure. This is at least true in the sense that protracted violations of nature's ordinances result in death. The founders of this government knew this. They knew that the strength and intelligence of the whole people was made up in the aggregate of strong, intelligent men and women; that individual strength and intelligence come to man and woman only through conditions of individual liberty and the processes of individual mental activity. This is the exclusive divine method of introducing knowledge into this world. They therefore declared that free thought, speech and the pursuit of happiness were endowments of heaven; that it was to secure these that governments were instituted. These endowments are inalienable. They cannot be sold by their possessor, as there is no one authorized to purchase them. They cannot be impaired by the State, for the State is ordained by men to secure them. The development of the individual, under this theory, is accepted as the surest guarantee of lasting power and glory to the State.

You behold before you to-day a people whose government is the first to rest upon the solid and changeless ordinances of nature. The govern-

ment will stand so long as these ordinances are obeyed. Obedience to them is possible only by those who possess perfect knowledge of them. That knowledge is attainable in contemplation of this system, by and through the clash of honest public opinion. Sincere agitation, free thought, free speech and free political action among all the people are the reliance of these institutions. Those who encourage free thought, free speech and free political participation in public affairs are the friends of this government. Those who oppose them are its enemies. It follows from these premises that political indifference is the first symptom of danger. Every person enjoying this great political estate, descended to us from the noble men whose genius and chivalry established it, is a trustee. He takes the estate with the obligation to preserve it. Nothing equalling it in excellence has ever been known before. Nothing surpassing it will arise in the future. It rests upon pure truth, hence every man, woman and child should study it.

We have not inherited and cannot receive from them the learning of our ancestors. We must acquire knowledge for ourselves. The severe discipline of our fathers' faculties and the result thereof cannot be transmitted to or appropriated by us. Each individual mind of this generation must work out its own conclusion, each age acquires for itself its own knowledge. To do this to a degree insuring the safety of this government, all persons should take part in politics. X

Our institution knows no legal difference between political parties. Sincere opinion in politics is protected and cherished under our institution. An agreement in judgment is not expected nor is it desirable. A state of torpidity, resulting from universal agreement in the management of the affairs of the country, would result in no progress whatever. It is disagreement that brings life and advancement.

The Constitution of the country places the power of the people over themselves in their own hands, but it does not confer upon them the knowledge necessary to wisely exercise that power. This knowledge comes to them only through individual effort. This effort they are bound to make in the interest of themselves and for the common good. If inequalities in wealth and in position have grown up in this country, whereby twenty thousand people control one-half the property of the country, the people must remember that while this state of things has been establishing itself they have had a majority among themselves, ten to one. The remedy against inequality is deposited by the Constitution with the people. They are empowered to search out the pernicious causes of inequality and to remove them. The possession of power implies the obligation to use power wisely. That this may be done, every one is bound to interest himself in the subject of politics and of government. There ought to be a free political library established in every county seat throughout the country. Political knowledge should be gathered up from every source and held in a public treasury accessible to all alike. The administration of the government by officers chosen by

the people, ought to be known and the record thereof preserved, within the reach of all the people of the United States. It is only by the possession of perfect knowledge of politics that political prosperity can be assured and permanency guaranteed to American institutions.

The advantages of this people will never be enjoyed by another. They inhabit a virgin continent, possessing a superior climate and containing sources of wealth sufficient to satisfy the demands of the highest civilization. This continent is the theatre whereon will be realized the highest attainable prosperity and happiness of mankind. Here are no ruins of dismantled despotisms surviving to corrupt the growth of free institutions. Here the highest industry will thrive; opulent cities will be built up, art will flourish, fertile fields will multiply and be peopled by the highest type of cultured men and women.

Over America rests the star of empire, reached at the end of its westward journey. From Persia, through Greece, Italy and Great Britain it has come to make its final stand over the last great experimental field of civil government. Beyond there is no more West, but the unprogressive Orient only. As the star in the East came and stood over the place where the Saviour lay, so the star of empire gives his last beams to us as the people to illustrate the highest achievements in man's career. If we fail on such a theatre as this, under institutions protecting and quickening in every man the free use of his faculties, with the world's great store of knowledge and of human experience to enrich our endeavor, who in the future will succeed? If this empire of thought and of law fail it will be because man is vicious, ignorant and corrupt.

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SPEECH OF
JEFFERSON CHANDLER

BEFORE THE

WASHINGTON STATE ASSOCIATION

OF

DEMOCRATIC SOCIETIES

AT

TACOMA,

AUGUST 27, 1890.

1890:
BUXTON & SKINNER STATIONERY COMPANY,
ST. LOUIS.

CALL FOR MEETING

TO ORGANIZE A

STATE ASSOCIATION OF DEMOCRATIC SOCIETIES.

WHEREAS, There are many local Democratic clubs and societies in Washington, but no State association of them existing, and

WHEREAS, The National Association of Democratic Clubs has requested the Central Democratic Club of Pierce County to take the initiative in organizing a State Association of Clubs or Societies, auxiliary to the National Association, which said Pierce County organization has done,

THEREFORE, We the undersigned, representing our respective local organizations, do hereby join in inviting the several Democratic Clubs, or Societies, now existing in Washington, to send delegates to a general meeting to be held in Tacoma, for the purpose of organizing a State Association.

The Democrats in such parts of the State where local Clubs or Societies are in contemplation, are also requested to send delegates to said meeting.

The general meeting shall be held not later than September 1, 1890, but the exact date is to be fixed, and due notice thereof given by the Central Democratic Club of Pierce County, after they shall have completed all arrangements for the same, and shall have procured the attendance of Democrats of national reputation as orators for the occasion.

Signed by representatives from twenty-nine counties.

ROOMS OF THE CENTRAL DEMOCRATIC CLUB OF PIERCE COUNTY, }
TACOMA, WASH., July 8th, 1890. }

Hon. Jefferson Chandler, St. Louis, Mo.:

MY DEAR SIR: There are many local Democratic clubs in Washington, but no State association of them existing. The Central Democratic Club of Pierce County has, at the request of Hon. Chauncey F. Black, of York, Pa., President of the National Association of Democratic Societies, taken the initiative in the organization of the Washington State Association of Democratic Clubs, the same to be auxiliary to the National Association.

To this end authorized representatives of our party in twenty-nine of the thirty-three counties of this State have joined in a call to meet in this city not later than September 1st, next, the exact time to be fixed by the

Executive Committee of this organization, for the purpose of forming said State organization. It has this day been determined to hold the meeting on some two days between the 1st and 20th days of August, next, which will give but little more than two months in which to perfect our organization throughout the State before the next election.

It is the universal desire of our party in this State to have present with us on this occasion some speakers of national reputation, at whose feet we can sit and learn anew the tenets of true Democracy and good government.

When we met to determine who should be invited there was great unanimity in selecting you. This invitation is most cordially concurred in by members of the city government—the mayor and majority of the city council being, I am most happy to say, of the Democratic faith.

I am directed to say that arrangements will be made to have you come via the Northern Pacific Railroad. So you can, at Livingstone, Mon., leave the main line of the road for one or more days' visit to the National Park, the hotels in which are forty miles south of Livingstone.

At Spokane Falls, in this State, and within twenty-five miles of our eastern boundary, you will be met by a special committee from this city and escorted across the State in a manner commensurate with your reputation. You can return home via Portland, Ore., and Omaha, Neb., over the Union Pacific Railway or via San Francisco and Los Angeles, Cal., over the Southern Pacific Railway.

For beautiful scenery, fertility of soil and salubrity of climate, our State is without an equal, and our Democrats are not surpassed in America for their devotion to sound principles and an earnest purpose to secure their triumph.

Enclosed you will find a copy of President Black's letter, with a copy of the general call authorizing the action of this organization.

We believe that we can make your visit amongst us enjoyable, and are confident that your presence with us at the time mentioned will be of the greatest possible benefit to the Democracy of this State.

The exact days in August upon which the meeting will be held can be made to accommodate your arrival here, and will be so named when we shall have received your formal acceptance of this invitation.

We hope for an early and favorable reply from you.

I am sir, yours truly,

GEO. HAZZARD,
Secretary.

SPEECH OF JEFFERSON CHANDLER.

MR. PRESIDENT AND GENTLEMEN:

I deem it a special honor to meet and address the Democracy of this young and intrepid State. There can be no more impressive experience than witnessing the establishment of the foundation of a new civil government. This is the first great convocation of the Democracy of Washington since her name as a State gave a new and lustrous star to the American flag. You have met on this occasion to give utterance to and begin the operations of the principles of government, in obedience to which you will mold the destiny of this State. The events of the world have been so arranged, as that civilization completes its western march on the borders of the Pacific Ocean. The last great seat of civil authority and of industry and of commerce will be established in this region. The conditions presented at the beginning of the development of this community will likely continue during its career and powerfully influence its whole future. On the north, the greatest commercial and maritime power of the world is building rival cities and is establishing subsidized lines of commerce to control the transportation of the Pacific Ocean. Through her sleepless diplomacy, England has lately persuaded Japan to grant to English subjects access to all her commercial centers. China, resting upon veneration for the past and the complacent aversion to progress, crooks her decrepit knee to the assumed commercial supremacy of England on the seas. Central and South America possess a population assembled from the nations of Europe, who speak a language unfamiliar to the general American public. These countries have business and banking relations with the people whose language they speak. They have, however, one thing in common with us. They believe in Republican institutions. They are building nations upon the dogmas of civil liberty, to which this country is committed. This fact will, in time, overcome the impediments to a closer commercial union. From a soil of common constitutional sympathy will spring alliances offensive and defensive between them. It is not difficult to secure great prosperity and rapid development to a community like Illinois, located in the center of American influences, all co-operating in its progress. The State of Washington is surrounded by conditions and rivalries peculiar to herself. She doubtless possesses the genius to overcome the difficulties mentioned and meet the rivalries suggested and to adjust herself to the circumstances affecting her growth.

This, however, is a political occasion, designed to formulate an expression of principles consistent with the Democratic theory of government. This convention is assembled on the assumption that progress lies along the lines of pure Democracy. Every system of thought has its standards of excellence. In painting, in sculpture and in music, in poetry and in philosophy the old masters furnished the highest criteria. The principle applies equally to politics. It is known to the world that periods occur wherein clearer conceptions of right and wrong, and of truth, are given to mankind; that great characters are born to give expression to these conceptions in such form as to preserve them among the treasures of permanent knowledge. Whether this is inspiration, or the breaking of some spiritual wave across the pathway of history, thrown from the infinite deep of wisdom, no one knows. Certain it is that a brighter light comes periodically to the human family. This Government was set up during one of these intervals of intellectual and moral illumination. The Constitution under which we live is the most perfect definition of civil liberty ever recorded in history. The men who produced it and put it into operation were specially endowed. They are really the old masters in our politics. Looking at Democracy in the light of this definition, by the founders of the government, we discover its first principles to be loyalty to the Union. In those days the doctrine of nullification, secession and of violent political methods were unknown. These are corruptions appearing since. The loyalty of Democracy to the Union must be placed above suspicion. This State acted on this assumption when it united itself with the others under the Constitution forever. When political differences arise in future they must be settled within the Union and by peaceful means. The young Democracy of this vast region commits itself to these propositions. It should assert its own judgments and opinions within the party in carrying them to execution, and should not bow itself in servile obedience to the unsound doctrines of others. The great North must be woe to the Democracy. This cannot be accomplished under Confederate leadership. This peerless people have no right to subject their political future to the domination of men distinguished in breaking down the Constitutional form of government. We are entering upon a new era and must select men to carry our political banner across the forensic fields of the future unimplicated in the Rebellion. The American people have placed no disability upon them. They are as free to act as others, but in the face of the present state of public sentiment in the country they are not eligible leaders for the Democracy.

TARIFF.

The subject of raising Federal Revenue, as that subject is at present presented to the American people, involves a consideration of the Constitution itself. Though the United States may provide itself revenue by direct taxation, yet no party has, during the history of the government,

found that method a popular one. The position of the Democracy in respect of raising revenue by impost duties is clearly and succinctly expressed in President Jackson's message to Congress, dated December 7, 1830:

"The object of the tariff is objected to by some as unconstitutional, and it is considered by almost all as defective in many of its parts.

"The power to impose duties on imports originally belonged to the several States. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely incidental to that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the general government without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them and, consequently, if it be not possessed by the general government it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely cannot be the case; this indispensable power thus surrendered by the States must be within the scope of the authority on the subject expressly delegated to Congress."

"In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States and the general understanding of the people."

This definition of the limitations of constitutional authority to levy and collect impost duties is the established doctrine of the party on that subject. The propositions so lucidly set forth in General Jackson's message are restated with radiant clearness in the Democratic platform of 1884, upon which President Cleveland was elected. This platform and these doctrines were approved by a large popular majority of the American people. They secured also the approval of a majority of the electoral vote of the country.

The Democracy is composed principally of the producers of the country. The Democratic party is essentially the party of the laborers and business people. The logic of its position and of its constitution is to discover, promote and defend the interests of the laboring people of this country. Hence it could not promulgate principles which did not have for their primary object an economical administration of the government and the welfare of the people, upon whose intelligence and support it depends. It would be wearisome on an occasion like this to consider with much detail a subject so expansive as that of the tariff. The discussion of it may therefore be properly limited to a statement of the principles upon which the respective parties in politics rest their respective doctrines. The Republican party declares that

the power vested in Congress, under the Constitution, to levy impost duties, includes the power to impose such duties as will prohibit the introduction of foreign merchandise and products into the markets of this country. This doctrine was announced for the first time in American politics in the Republican platform of 1888. Heretofore impost duties have been levied principally for the collection of federal revenue. It is now declared that the Federal Government may forbid the people of the respective States from buying or selling in any of the markets of the world outside of the territory of the United States. In other words, the Republican platform of 1888 announces the power in Congress to establish a commercial embargo in time of peace against the products of the civilized world. The States, prior to the establishment of the Union, held absolute power over all their commerce, domestic and foreign. When the Union was formed the States still retained power over their domestic commerce, but granted jurisdiction to Congress to levy impost duties upon foreign commerce and to regulate the same. Neither the power to tax nor the power to regulate includes the power to destroy commerce. The people of the respective States, in times of peace, have the same legal right to buy and sell in the markets of the world now as they possessed before the creation of the Union, subject only to federal authority to levy impost duties upon foreign imports and to regulate such commerce. The power to regulate is power to preserve while in transit, and is not power to inhibit altogether. The courts of this country have never failed to distinguish between the power to regulate and the power to destroy. These powers lie in distinct hemispheres. These differences between the parties are fundamental. Under the exercise of the power claimed to exist by the Republican party Congress may deny to this great country, lying upon the Pacific Coast, the right to have commercial communion with the Orient, or with South American countries. Those who support the Republican party affirm this power. They commit themselves to the doctrine that a majority of Congress, at any time, can command the people of the Pacific Coast to cease trade with all foreign countries, and to limit their purchases and commercial intercourse with the people of the several States of the Union. These people have a natural and constitutional right to the ocean and to the great advantages which come to them from their geographical situation upon the ocean. The facility with which they may transact business with foreign countries across the ocean is a part of their constitutional inheritance. Any interpretation of the Constitution of the United States, which denies these rights in time of peace, is erroneous. The right of the American citizen to buy what he pleases and where he pleases is a part of his civil liberty and is subject to no restraint by the Federal Government. In transporting to or from this country the articles which he purchases or sells, he must conform to the regulations which Congress prescribes for the preservation of the property transported. He must also pay the impost duties levied upon the articles imported for his use, subject to the

payment of these duties, and to suitable regulations for the safety of property in transit. His right to trade with foreign people, where he pleases and where he chooses, cannot constitutionally be abridged in times of peace.

RECIPROCITY.

In the field of political economy, adjacent to the tariff, lies the subject of reciprocity. Before the war the great leaders of Democratic opinion built up commercial intercourse between this and many other countries through reciprocity treaties. Rates of impost duties were fixed in the text of the treaties themselves. A suitable illustration of this practice is found in the treaty with China, proclaimed April 18, 1846. This system of communion reduced the exchange of commodities between the countries to the simplest business basis. Under mutual treaty obligations banking and other business institutions were established by each party to the treaty in the country of the other. This commercial scheme wrought out a closer friendship among the people of the contracting countries, and reduced to the consumers of each the cost of the products of both.

Mr. Cleveland was elected President upon a platform pledging the restoration of this practice. It declared for closer and more intimate commercial relations with the countries of South America. Bills authorizing the assembling of the Pan-American Congress in Washington were passed during Mr. Cleveland's administration, and that great convocation met and communed as a result of Democratic diplomacy. Mr. Blaine took up the threads of the project where they had fallen from the hands of the defeated Democracy. The Democratic party owes it to itself to re-declare and reiterate this policy on every great occasion when its opinions are publicly proclaimed.

We live in a period of constant and profound economic changes. Within the last seven years nearly every civilized country of the world has increased its impost duties upon the products of other countries. Many of the European nations have excluded altogether the bread-stuff and meat products of America. While seeking the introduction of their articles of commerce into our market free, they slam the doors of their country in the face of American products. We have no power to open their ports to our products by legislation. We may throw ours open to the world if we choose.

The policy of reciprocity sends its roots back through our history to that period of American politics when the old masters controlled public affairs. It gives protection to our industrial system of the highest and wisest character, and such protection as can be attained in no other way. This policy should be taken up from the deep neglect into which it was plunged by the civil war. Under this policy we can provide against the laying of export duties upon articles produced in other countries and admitted free into this country. Not long since the duty was removed from

coffee to give the American people, in part, a free breakfast table, where-upon Brazil, the coffee producing country, subjected that article leaving her ports to an export duty. This operated to keep up the price on coffee here and to secure to the treasury of Brazil \$100,000,000 in revenue derived from such export duties. This vast sum of money was paid by the consumers of coffee, and the people derived practically no benefit from the removal of American duties upon it. If coffee was admitted into this country free from export and import duties under a reciprocity treaty with Brazil which conceded to the producers of this country the privilege to ship to Brazil articles produced here, a substantial double benefit would result from such an arrangement. A wider market would have been built up for American products and cheaper prices fixed for articles imported from the country with which reciprocal arrangements existed.

There is no reason why we should throw our markets for sugar open to such countries as Spain, while they exclude American flour from their markets. We buy from the countries south of us rubber, coffee and sugar to the value of two hundred millions of dollars annually. We sell to these same countries about eighty millions of dollars annually, leaving a balance against us of one hundred and twenty million dollars to be paid in gold coin. Under this system our products are kept out of these countries by high duties levied against them there. It is now known that the people south of us stand ready to take off the duties from many of our products if we will let their sugar in free. Their sugar, under an arrangement like this, will be doubly beneficial to the American people. The markets of our products here will be extended and the prices of articles consumed lessened. If this is not free trade, it is at least fair trade. This policy would retain in circulation here the large quantity of gold annually shipped out of the country to pay balances against us. The country would thus be spared a constant diminution of the circulating medium and the resulting disturbance of values thereof. Our whole industrial system would run more smoothly and with assured stability under a system of commerce made fixed and definite by reciprocity agreements.

IMMIGRATION.

The purity and growth of American society depends much on keeping up the standard of intelligence, efficiency and morality of the great labor elements of the country. To do this, the vicious and pauper contributions of other countries to this ought to cease. The myriads of ignorant, ill-fed and ill-paid people of crowded and unprogressive nations, sterile of sympathy for our institutions, have no business in this country. We stand on the dignity of labor as a cardinal principle of politics. This dignity should be strengthened and encouraged. To do this the labor of this land must be kept uncontaminated with the servile spirit of semi-slave labor. Those who work are citizens as well as toilers. It is on their intelligence and morality the country relies for the preser-

vation of its institutions. It is unjust to this element to throw into competition with it the restless, furious and disturbing influences that come from abroad, and to degrade it with the poor and decrepit of other lands. Any honest and well-disposed person, sympathizing with our race and our institutions, who desires to become a citizen of this country and commits himself to its laws and government, is welcome. Those who come to degrade its labor, to threaten its institutions and disturb its industrial repose, ought not to be allowed a footing here.

SILVER COINAGE.

The Democratic party is pledged to so administer the government that no constituent power thereof shall be executed to enrich one class or section and correspondingly oppress or impoverish another class or section. To illustrate: The Federal Government possesses power to coin money and to regulate the value thereof. This power, if ignorantly or venally used, may produce industrial depression. There is no power of the government more vigilantly watched by the money interests of the country than this, nor is there any power an abuse of which so profoundly disquiets industrial and producing interests. The power to regulate the value of money carries with its exercise the regulation of the value of everything that money represents. Hence, if there is an unwise or unfair regulation of the value of money, every producer of values represented by money suffers. The decrease of the volume of the circulating medium increases the quantity of products and of labor given in exchange for money. Contraction of the necessary volume of currency or a refusal to expand the volume thereof to keep pace with the increase of population and the demands of business is protanto confiscation of property. Farmers and producers are entitled to the benefit of the abundance of gold and silver in this country. The rapid increase of gold supply since the discovery thereof in this country raised the prices of products and of labor. This is admitted. A decrease of the supply or of the coinage thereof would have an opposite effect. It would have been unjust to refuse to coin gold because the supply increased. The result of such refusal would have cut off the farmer and producer from the benefit of the increased supply and the consequent increase of the value of products. The American people, as a body, contributed to the discovery and development of the precious metals. They paid for the territory in which they are deposited. They constructed the railway system, mostly at public expense by land donations and government bonds, through the great mountain region where gold and silver are found. They furnished the pioneer army that discovered and developed them. Every individual living under the American flag is entitled to a part of the general development and progress of the country. If great sources of wealth are discovered and developed which makes the burdens of life lighter and the necessities of existence cheaper, it is a crime against progress to limit the good effect of such discovery and development.

IF THE CIRCULATING MEDIUM

is constantly diminished, it becomes more and more difficult to pay the debts. It is assumed that there is about twenty-one dollars per capita of circulating medium out among the people in the entire United States. There is no means of ascertaining with accuracy the amount of money per capita in actual circulation in the West. The railroads are mostly owned in the East. Their net earnings amounts to millions of dollars. Most of this money goes East, where railroad securities are held. The interest on State, municipal and farm indebtedness amounts to millions of dollars yearly. Most of this is sent into Eastern markets, where the indebtedness is held. A large amount of money is also taken out of the West annually to pay insurance premiums to Eastern insurance companies.

Under this constant diminution of the currency the amount per capita in the East is constantly increased, and the amount per capita in the West is correspondingly decreased. It is doubtful whether there is to exceed ten dollars per capita in circulation through the entire Western country. The growing difficulties of obtaining money multiply the difficulties of paying debts. If there is no relief to a great section of the country that has become involved in contracts to pay interest burdens, which it is impossible to bear, then general bankruptcy in that section must follow. If legal relief be possible from this state of things it is the first duty of the government to furnish it. It is believed that the power of government can be so exercised as in a measure, at least, to save the Western country from bankruptcy. The Federal Government has exclusive power to coin money and to regulate the value thereof. This power implies that the value of money ought to be fixed and regulated by law, else the power would not have been given. This power is continuous and may be exercised from time to time as Congress may determine. The regulation of the value of money involves the power to affect the ability of debtors to discharge their obligation. The highest consideration that can govern the exercise of this power is the welfare of a great body of the people affected by it. No legal wrong is done by so regulating the value of money as to prevent the growing oppression of debts. The welfare and prosperity of the citizen is the sovereign object of government. The chief end of government is not to preserve austere and crushing methods of collecting debts. This is illustrated in insolvent and bankruptcy legislation, from time to time enacted. Periods of depression occur, commercial and industrial despair at times prevail. During these periods legal relief is furnished to the debtor class by a legal cancellation of the debts, which, for the time being, operate to suspend business activity. This is deemed wise, in a general business way, to the end that the citizen, the initial social force, may rally again and once more enter upon the active production of wealth.

That it is lawful to so regulate the value of money as to make the payment of obligations no more difficult than when the debt was contracted, has been decided by the Supreme Court of the United States, in defining the obligation of a contract. The Court say, "The obligation is

to pay money which the law shall recognize as money when the payment is made. Every contract for the payment of money simply, is necessarily subject to the constitutional power of the government over the currency, whatever that power may be, and the obligation of the parties is therefore assumed with reference to that power."

Hence it is the right and legal duty of Congress to so control the value of money by its legislation as that the debtor class be not oppressed. If commercial conditions exist which increase the burdens of indebtedness at the time of payment vastly beyond what they were at the time of the creation of the debt, the power of the government should be so exercised as to mitigate such increased burdens. Money is a mere representation of value. The products of the country are the real value. Such a condition of currency as requires larger quantities thereof to pay debts, when due, than were required to pay the same debts when contracted, is oppressive and justifies an adjustment of the value of money to such changed conditions.

In 1865 the National debt was two thousand, six hundred and eighty millions, six hundred and forty-seven thousand, eight hundred and sixty-nine dollars. At that time wheat was worth in the market one dollar and fifty-six cents per bushel. The entire National indebtedness could have been paid off and discharged with one thousand, seven hundred and eighty millions, three hundred and sixty-four thousand, two hundred and eighty-eight bushels of wheat. In 1889 the debt had been reduced to one thousand millions of dollars, yet, at the then price of wheat, eighty cents per bushel, one thousand two hundred and fifty million bushels of wheat were required to pay the debt. The increase of the burdens of private and municipal indebtedness between the two periods mentioned was the same. It will be seen that two bushels of wheat in 1889 represented the value only of about one bushel of wheat in 1865.

The debts hanging over the country have become twice as difficult of payment since the war closed as they were in 1865. In 1873, Congress, for the first time in the history of the government, demonetized silver and made gold the single standard of value.

This act was dictated by Eastern influence. The East possesses power over the West and South through its abundance of money. Any assumption that the East is superior in intelligence to the West, or wiser in statesmanship, is baseless. It cannot be denied, however, that the West is dominated by the East. By controlling the standard and quantity of money, it controls the business and consequently the politics of the West. The development of silver is a Western enterprise. If freely coined into money, the despotism of gold and of the East will be broken. There is no lack of wisdom in providing an abundance of money, nor is there danger in the double standard of gold and silver. Alexander Hamilton, among the wisest and most conservative of American statesmen, gives it as his opinion, "That a preference ought to be given to neither of the metals, gold or silver, for the money unit." He recommends that Congress

attach the unit indiscriminately to both metals. The office of money is to quicken production and arouse industry. Facilities for industrial development and progress can work no injury. Proper Federal legislation will bring relief to the depressed West, but such legislation can only be procured by the unity in support of it of the great region of country needing it.

There is nothing communistic or revolutionary in the free coinage of gold and silver. They are constitutional money. Their free coinage can be no just ground of complaint by the creditor class. Gold and silver currency rests upon the Constitution, upon Democratic adoption and upon the commendation of the most eminent men of the country, including among them Alexander Hamilton. Free coinage of gold and silver would bring relief to the distressed agricultural interests of the West, and ought at once to be provided for.

NATIONAL BANKS.

As a supplemental consideration to the free coinage of silver, the Democracy is called upon by the great farming constituents of the country to declare its purpose touching the retention of the National Bank system as a part of its permanent monetary policy for the future. This system is the product of the war and is anomalous in character. The power to determine the quantity of currency in circulation is reposed in Congress, under the Constitution of the United States. To delegate this power to corporations dealing in money seems to be out of sympathy with a proper exercise of constitutional power conferred upon a legislative body. The world is agreed upon the proposition that the power and value of money depends largely upon the quantity in circulation. Corporations dealing in money are interested in increasing its power and value in their hands. If such corporations, therefore, have the power to fix the quantity, they practically have the power to fix and regulate its value, which is a power that should be exercised by Congress and not by corporations, organized for the purpose of gain. The government allows National Banks to issue their notes, secured by government bonds, but puts an annual tax on the issue. That operates to limit the quantity of bank paper issued. The power of banks to limit their circulation, to which power is added inducements to limit it, results as a constant restraint upon the volume of currency going into circulation. These great moneyed corporations, by reason of their constitution, work in sympathy and accord with each other and naturally unite in trust relations with each other to secure the largest possible profit out of their business. Their nature and their interest unifies them as a great controlling money power against the producers and consumers of the country. This statement is verified by Secretary Chase, who lamented that he had ever given his support to the system. He says: "My agency in procuring the passage of the national banking act was the greatest financial mistake of my life. It has built up a mon-

opoly that affects every interest in the country. It should be repealed. But before this can be accomplished the people will be arrayed on one side and the banks on the other in a contest such as we have never seen in this country."

These institutions are forbidden by law to loan money on real estate security. The people owning and operating landed interests are thereby excluded from the benefits and patronage of these banks. This is a direct discrimination against the agricultural interests of the country. Banks of deposit and exchange are a necessary part of the great commercial machinery of the times, but banks of issue are not necessary. The government is charged with the execution of the power to coin money and regulate the value thereof, and should exercise that power in all its fullness and not delegate any constituent part of it to corporations.

CENTRALIZATION.

There is a growing disposition in politics to look with indulgence upon an expansion of Federal power, though such expansion correspondingly subtracts from the constitutional dignity of the State. This disposition is sometimes expressed in the statement that the nation should be spelled with a big "N." If this expression is intended to indicate increasing reverence for the Federal Government, the "N" cannot be too large. If, however, it signifies that the Federal Government is of greater constitutional importance than the States, and should be made more powerful by construction and the States less so, there is no Constitutional support for this disposition. It is at war with our political philosophy. If the "N," which denotes the Federal Government, is to grow in size, so ought the "S," also, which represents the States. There is no constitutional warrant for changing the relation between the different hemispheres of State and Federal power as marked off and defined in the Constitution of the United States. There have been, under other systems of government, methods of local administration. This Government is the first, however, to establish independent and sovereign local governments, wherein supreme, legislative, executive and judicial power over domestic affairs is established. The Constitution of the United States has created an indestructible Union of indestructible States, as has been so well and so frequently declared by the Supreme Court of the United States. It is held by that great tribunal that while the States might survive the Union, the Union could not survive the States, because the United States Government was a government of united, independent and sovereign States. Legislation in Congress, therefore, which abridges or impairs in the slightest the local and domestic independence of the States, is legislation unjustified by the Constitution of the United States and, indeed, prohibited by it.

The official class, holding offices under the Federal Government, are but representatives of the people of the several States. They cannot, in their representative capacity assume wisdom greater than is possessed by

those who elect them as representatives. Hence there is no legal or real superiority in the Federal Government or its officers which endows it or them with constitutional power of criticism, or of censorship of what the States may do. If there be a difference between the dignity of reserved power and power granted, that difference is in favor of power reserved. The same people who granted power to the Federal Government reserved certain other power to themselves, feeling that they could use the power not granted more wisely and more advantageously themselves. That was the reason for reserving it. The source from which power springs is higher in law than the instruments to which power is granted, and hence all the currents of presumption run in favor of the superiority of the people and of the power reserved by them. It is illogical, unreasonable and unconstitutional to hold that power granted to the Federal Government can be legally used to degrade the people of the State, or of any number of States. The political forces of this country, always manifesting themselves along the line of centralization, have constructed and passed through the House of Representatives at Washington what is properly known as the Force Bill. This measure is in the alleged interest of pure elections. It rests upon the assumption that supervisors, selected by the Federal Courts, when appealed to to do so by a few citizens of the districts wherein the court holds its sessions, will be then and there inoculated with a loftier sense of duty and investigate with deeper conscientiousness than officers of elections, chosen by the ordinary methods established by the people of the State, possess. This bill rests upon a distrust of the people. It denies capacity in them to govern themselves. It repeals the first principle of American Democracy. It proclaims to the world that fifty persons petitioning the Federal Court to appoint supervisors, together with the Federal Judge, make up a tribunal surpassing in honor and devotion to popular government the people of the State acting through their legislature, courts and governor. Certificates of election of members of the House of Representatives, under this bill, are to be given by the supervisors appointed by the Federal Court, and not by the Governor of the State, as heretofore. These supervisors are but temporary. They have no permanent judicial dignity or character to maintain. They perform one official function only and expire. A Governor of a State is a man of known honor and distinction. He has his personal character and the honor of the State in keeping. Judged by all the standards which prevail in this life, he is a safer trustee of power than an itinerant selected for a temporary partisan purpose. The direct effect of this measure, therefore, is to degrade the State, its officers and its respective departments of government before the world, and in the eyes of its own people. By this measure its honor is clouded, its integrity doubted and its fairness denied. No emergency demands the enactment of this law other than the impending decline of the Republican party. For 100 years federal elections have been held and decided under the operation of the election machinery of the respective States. During that period the government has

passed through all the dangers of the foreign and civil war, yet notwithstanding these trials the American people have displayed to the world the highest genius for self government. Mr. Reed says in support of the proposition to take the federal election out of the hands of the States, that the Republican party has a right to its own ignorance; that the ignorant vote of the South is Republican. He declares that Democracy has its ignorance in the North, and that his party should have its Southern ignorance also. The design of the Force Bill, under this analysis of the situation, is to marshal the stupor and ignorance of a great section of the country into one party, and thereby perpetuate its hold upon public offices. There was a time when Republicans claimed power by virtue of superior learning, transcendent moral excellence and ideal refinement. The people have frequently been told that the Republican party was originally composed of a membership brought together by a divine, but invisible selective process, whereby the intelligence, moral and spiritual forces of the nation, were manifested in Republicanism. But it has now come about that Republicanism, once so iridescent, so imbued with knowledge, is decimated and falling into languor and decay; that its only hope is in the solidified ignorance of the South. The great North, the theater of its early splendor, is turning pensively away from it, and unless its decline can be arrested by the enlistment of Southern ignorance its downfall is assured. The Democratic party is not wholly free from ignorance. It does not claim to be. It has in its membership many of the rugged elements of the country. It can truthfully say of itself, however, that at no time or place, nor under any circumstances, has it advocated the passage of a law of doubtful constitutional propriety, designed to solidify the ignorance of a section of the country and march it in a body into its own ranks. It has never been a part of its policy to reduce the Federal judiciary to a partisan instrumentality, nor by special laws to employ it as a special political force.

RACE DIVISION.

The political division of the whites and blacks in this country into hostile bodies, is appalling. Violence in elections resulting from such division is a disgrace to this country. The sound of the shot-gun in American politics breaks across the land like the knell of departing liberty. It is a pertinent inquiry to make, whether the white and black races can live together in peace upon this Continent under the Constitution which we possess. If there is no natural political incompatibility between them, the legislation of the country ought to be consistent with the fact. If nature has divided them into hostile bodies, such natural division cannot be repealed by an act of Congress. The Democratic party assumes that there is no natural race hostility, and that both races can thrive under laws bearing equally upon both. It can be shown that legislation of the Federal Government, since the war, has produced the irritation which is manifested between the two races in the South. It

will be seen on an analysis of this legislation, that the disquiet prevailing in that region between the races, is the direct offspring of unwise and unconstitutional legislation. Enactments have been passed under which discord has been engendered, which it is now difficult to subdue. These enactments sowed the wind, and as a result the whirl-wind has been harvested. Statesmanship employs itself in softening and reducing prejudices among the people, and not in stimulating them.

When reconstruction had been accomplished the Republican party feared a decline in its ascendancy unless it could secure for itself for all time the colored vote. At that time the races, as stated by Senator Ingalls in his late speech in the Senate, were living in harmony. There was no existing reason why that harmony should not continue. Both races lived under laws which applied to both alike. Had the races co-operated in maintaining the laws free from outside interference, there is no evidence that they would have divided on the line of race. It is said also by Senator Ingalls, in the same speech above mentioned, that if the colored men would now vote the Democratic ticket there would be no race conflict in this country. This proposition is true. The races have been arrayed against each other by partisan and unconstitutional legislation, enacted by the Republican party to secure the vote of the negro. The races being in harmony before this legislation was enacted, and it being now admitted that harmony would still prevail if the negro were a Democrat, it would seem to follow that the influences which have operated upon him to separate him from the Democrats are the cause of race dissension. It is believed that the legislative and judicial history of the country since the war verify this conclusion. If to vote the Democratic ticket by the negro would extinguish race irritation, as is stated by Senator Ingalls, then the present differences between the races is political only, for they would remain distinct as races after the negro became a Democrat. The Republican party began its political operations upon the colored people as a class, to divide them from the white Democrats of the South in 1870, and continued this effort from that time down to the election of President Cleveland.

In 1870 the Republican party, then being in supreme control of the Federal Government, assumed, for the first time in the history of the Government, that Congress possessed jurisdiction over the election machinery of the several States. To carry out this assumption Congress enacted that no State election should be final until federal officers so declared. This legislation attempted to transfer to the Federal Government final decisions in cases of State elections for State officers. This statute was ostensibly enacted for the benefit and protection of the colored voters of the South. It had a double effect on the negroes. It operated to degrade the State in their opinion and to convince them that the State could not be relied upon to do them justice, and that their only hope was in the Federal Government, administered by the Republican party. Being thus honestly impressed, they became solidly Republican and contemptuous of the State in which they lived. The law disclosed to the whites of the

South the fact that the negro was being used as a means of dismantling the State and the substitution of Federal authority in place of State authority, under circumstances not justified by the Constitution, as they understood it. Hence, the white race, moved by devotion to Constitutional government, opposed this legislation. Their irritation was excited against the blacks because it appeared to the whites that the blacks were being used by the Republican party to destroy local Constitutional government in the South. Under this so-called legislation prosecutions arose and were continued throughout the entire South. For a period of more than five years great tumult and industrial paralysis prevailed, at the end of which period the law was declared unconstitutional. The Supreme Court of the United States, composed of judges appointed exclusively by Republican presidents, held that "The statute contemplated a most important change in the election laws. Previous to its adoption the States, as a general rule, regulated in their own way all the details of the election. They prescribed the qualifications of voters and the manner in which those offering to vote at an election should make known their qualifications to the officers in charge. This act interfered with this practice and prescribed rules not approved by the laws of the States." The court concluded that the enactment was without constitutional support and therefore void.

Later on the Republican party, wishing still to hold the negro vote, attempted to extend the jurisdiction of Federal courts in cases affecting the colored man to acts which had theretofore been exclusively within State jurisdiction. This later enactment was presented to the colored people of the South as a new pretence on the part of the Republican party that they alone were the friends of the negro, and that the colored man must look to that party and the Federal Government for protection. This legislation had the same effect to array the races against each other as the first, and to add to the distrust in the mind of the negro of State governments, and to exasperate him against the whites, who universally opposed the statute. The whites believed the pretended law a violation of their rights and were affected by it as they had been by the previous enactment and contested its validity at every step. During the agitation over it the South was most bitterly denounced for its opposition to what the Republicans were pleased to call salutary legislation in the interest of liberty. This statute had the same practical history as the first. It filled with agitation and disquiet a period of five years before it reached the Supreme Court of the United States, when and where it was declared to be in violation of the Constitution of the United States.

This was followed by what is known and remembered as the Civil Rights Bill, which, in terms, invaded State jurisdiction. It put local transportation companies, theaters, hotels and public institutions under legislative and judicial control of the Federal government. It would be wearisome to repeat the incidents of bitterness that were the offspring of this legislation. It occupied the same time in reaching a final disposition as the other enactments had respectively. It operated in the same way

upon the blacks and upon the whites, keeping them divided, and added to the bitterness theretofore prevailing between them. When it reached the Supreme Court of the United States it shared the same fate as the others, the court declaring that if this legislation could be upheld, it would operate to subvert State authority utterly.

These enactments were sanctioned by the Republican press and the most eminent Republicans in the United States. They were approved by Republican executives. All of them were declared to be revolutionary and void by a Republican Supreme Court. If, under great partisan pressure, the Court had sustained them, the government to-day would be utterly changed in character from what it originally was, and local self-government throughout the Union extinguished.

The present Force Bill is a continuation of the policy expressed in the enactments before alluded to. Its effect is to increase the inflammation already existing between the races, and for this reason, if no other, it is unwise. There cannot be built up in this country two systems of jurisprudence. One for the whites and one for the blacks. There is no demand for the Force Bill in the interest of the white people. If separate election laws must be enacted for the colored man, and separate courts established for him, and different supervision placed over him from that to which the white man is subjected, as the races increase in number two governments will naturally develop along this line of procedure and the unity of the present government will be destroyed. Rather than go to this extremity it would be better for the Republican party to release its political title to the colored vote and allow him to vote the Democratic ticket, which as Senator Ingalls says, will bring peace.

The history of this country is a succession of marvels. For one hundred years the American people have built empires. Beginning their constitutional career with three million inhabitants they have attained sixty-five millions. Public domain, larger than all Europe, has been added to the territory over which our flag first floated. This vast expanse of virgin country has been, from time to time, formed into independent and sovereign States, to whose respective names glitters a new star on the folds of the national flag. This great family of States, this splendid constitutional Union came to us through the sleepless processes of hereditary. These institutions, declaring the primacy of individual liberty, embody the wise jurisprudence which we have, and a fixed and definite scheme of municipal government, resting upon the consent of the governed, has been invisibly harvested from the ripest and wisest conclusions of our race. As a people, we possess advantages bestowed upon us by ages of human culture. If it be true that good government is the product of an unseen and persistent husbandry of man's wisest thought, it follows that its life and future growth must be promoted and nourished by ever increasing intelligence and moral force. This generation cannot safely rest upon the achievements of previous ones. Nature has provided no process of transmitting intelligence from one period or generation to

another. Men inherit quickened and strengthened capacity to acquire knowledge, but do not inherit knowledge itself. Each generation must learn for itself. If a people are content to receive from their ancestors a great inheritance of liberty as individuals receive princely pecuniary estates, and enjoy them in indolent ease,* they will lose their capacity to preserve such inheritance. Individuals may squander money or pass a life of sloth without permanent injury to the State, but a great people cannot escape injury to themselves and their institutions resulting from the inactivity and indifference of a single generation. It has been most wisely stated that eternal vigilance is the price of liberty. Sound principles of government and of economy will either be strengthened or enfeebled by the thought or lack of it, bestowed upon them by each generation having temporary custody thereof. Political indolence of the masses is a mortal sin. It is the sepulcher in which dead institutions are buried. Students of history know that Republics heretofore existing owe their decay to the suspension of the people's interest in subjects of government. As is stated in the Declaration of Independence, the right to life, liberty and the pursuit of happiness comes from the Creator. They are endowments of the Creator. The State is built to secure them. Inasmuch as the State is but a reflection of the people establishing it, and possesses neither intelligence or moral sense in itself, the people whose liberty is affected by it must themselves keep up the measure of intelligence and moral understanding adequate to its preservation. This is only possible by obedience to the ordinances of nature. Man's physical welfare depends upon his physical activity. Consign the athlete to inactivity and physical degeneracy will appear. Select the strongest person in your midst, place his arms in slings and there retain them for six months, and decrepitude will succeed to vigor. Appoint a guardian over the brightest person in this region, suspend the functions of his will, gratify no ambition of his, concede nothing to his desires or hopes, and time alone is necessary to produce imbecility. This is because the infinite has decreed that activity is the source of progress and the means of continued power, and is the only route over which strength and growth, mental and physical, enters the world. Intelligence cannot be borrowed one from another. Each must acquire it for himself. So with physical strength. What is true of individuals is also true of great bodies of people. If a few men are permitted to control political affairs, and the great masses of the people become indifferent to public topics, the intelligence of the masses, under this practice, will waste away and the foundation of the State sink under it. A governing class will supplant a government of the people by an oligarchy. Chief Justice Coleridge, of England, recently declared that the people of England were perplexed in their public affairs because of a failure to cultivate in the masses the power of sustained, connected and sequent thought. If such failure results in the arrest of progress in England, it will have the same effect here. Our ancestors have given expression to the most perfect form of government known to history. They

built the institutions descended to us upon the great dogma of equality of rights, and of municipal power in each. This perfect declaration of the theory of government is not, however, sufficient to perpetuate the liberties of the people. The seat of power is not in the perfect definition thereof, but is in knowledge. Knowledge is power. Individuals are strong or weak, as they possess knowledge. So are communities and nations. Pure Democracy assumes the equal legal rights of all, and impresses upon each the duty to acquire knowledge, to the preservation of that equality. If it be true that knowledge is the seat of political power and the seat of safety, it is essential that knowledge be made accessible. To this end, free political libraries ought to be established at every county seat in this country. This could be done at nominal expense. Statistical reports, debates in Congress and all other political data of interest could be assembled in these respective libraries at the mere expense of printing. The young men of the country would thereby have spread before them the highest means of enlightenment furnished by government machinery.

We are but in the dawn of our career as a people. We are not justified in pronouncing ourselves a permanent success. We have only ascended the heights of great opportunities. The question confronting us is, have we the genius of self-government. In the exuberance of one century's success we swell with self-adulation and look with complacent pity upon most of the world as our inferiors. Yet the truth of history is that nations have preceded us whose oratory we love to imitate, whose poetry illustrates a high conception of the infinite and the existence of refined sentiment, and reflects all that is pure in spirit and exalted in ambition; whose philosophy contains the substance of all that the world now knows. But these nations sleep the sleep of death. Their oratory and philosophy hang over their memory like intoxicating fragrance, but the theater from which they ruled the then known world is defaced with the ruins of their temples of learning and the broken columns of the palaces of their kings. They have filled the measure of history declared by Byron, wherein he says:

"This is the moral of all human tales. 'Tis but the same rehearsal of the past. First freedom and then glory. When that fails, wealth, vice, corruption, barbarism at last, and history with its volumes vast, hath but one page."

Impressed with what has befallen other nations, we look out upon the future. We have advantages never enjoyed by others. We inhabit a virgin continent, possessing a superior climate and containing sources of wealth sufficient to satisfy the demands of the highest civilization. It is within the possible for this people to realize the highest attainable prosperity and happiness of mankind. No ruins of despotic governments exist here to corrupt the growth of free institutions. We occupy probably the last great experimental field of civil government. If we fail on such a theater as this, under institutions protecting and quickening in every man the free use of his faculties, with the world's great store of

knowledge and of human experience to aid our endeavor, who in the future will succeed? If this empire of thought and of law fall, it will be because mankind is incapable of a higher life and is not suited to the splendid opportunities spread before them.

Thanking this audience most cordially for the kind and considerate attention shown me, I will close by invoking for this splendid community the largest measure of prosperity and happiness.

ARGUMENT
—OF—
JEFFERSON CHANDLER

BEFORE THE
COMMITTEE ON POST-OFFICES AND POST-ROADS OF THE SEN-
ATE OF THE UNITED STATES
AGAINST
PENDING BILLS TO EXCLUDE BUSINESS COMMUNICATIONS OF
LAWFUL STATE CORPORATIONS FROM THE UNITED STATES
MAILS, AND TO ESTABLISH BY CONGRESS A
CENSORSHIP OF THE PRESS.

Mr. Chairman and Gentlemen of the Committee:

The first proposition to which I desire to call the attention of the Committee of the Senate is, that existing laws provides adequate punishment for abuse of the United States mails. The laws as they now exist reach the verge of constitutional power of Congress in that respect. The two bills pending before the Senate Committee enter a region of legislation heretofore untrodden by Congress, and from which the Post-office Committee and the Judiciary Committee of the House of Representatives have turned back. The propositions in these bills assume

First. The power in Congress to stop the circulation of the press without accusation, notice, hearing or evidence, when something therein strikes offensively the eye of the Post-office Department; and

Second. That Congress may direct the Post-office Department to refrain from transporting in the mails, without accusation, hearing, notice or evidence, communications offered for transportation in the mails from point to point in any State, though such communications offered for transportation conform in all respects to the regulations made by Congress effecting packages ordinarily receivable, and though such communications are about and concerning the business of a corporation created by the State in which such communications originate and are offered for transportation, and from which corporation the State derives a revenue.

Each of these propositions is revolutionary.

The propositions above stated find what support they have from persons of highly moral sensibility made restless by the passage through the mails of communications not favored by them. It is doubtless the duty of Congress to do, within its jurisdiction, all that its highest wisdom incites it to for the public good. If, however, we are to measure degrees of immorality it may with confidence be asserted that no immorality equals in destructiveness to society, as willful violation of the Constitution. Moral advancement will cease when official indifference to constitutional obligations begins; hence the supreme question here involved is not one of sensibility, but of constitutional stability.

The first proposition hereinbefore stated affects the freedom of the press guaranteed by the Constitution. This special guarantee of freedom includes, as it has been often held by the courts, the right of circulation. This guarantee does not rest on any special tenderness for the proprietors or owners of news publications. Their property invested is no more sacred under the Constitution than other property invested.

The relation of the press to the public constitutes the consideration for the guarantee. The press is an institution for the dissemination of knowledge and intelligence. One man may own a news publication and a million people read it. Those who subscribe and pay for it have not only a property interest in it, but a right also to receive from it the information and intelligence which it conveys to them on public subjects. A law, therefore, that will permit an executive officer of the Government, by an arbitrary order made in seclusion, to discontinue the circulation of the publication to which they have subscribed, and for which they have paid, and to deprive them of the benefit which they have a right to derive from it, without notice or hearing, because the owner of the paper has incorporated into it an advertisement offensive to the Post-office Department, violates the right of the property in the individual subscribers thereto, and suppresses the dissemination of intelligence which the Constitution cherishes. Persons employed in the production of the publication as skilled laborers or otherwise suffer by its arbitrary suppression though innocent of the act causing such suppression. The effect of the Constitution, therefore, is to exclude from the punishment for the publication of forbidden matter the suppression of the publication itself. This cannot be done in the manner provided for in the bill. The philosophy of the law is to limit punishment in such cases to penalties falling upon the individual who does the act made criminal.

The Constitution says the liberty of the press shall not be abridged. There is behind the Constitution, in our jurisprudence, no definition that I can find of what constitutes the liberty of the press. But there was in England a practice tolerated by law, of authorizing a government officer to read the press, and to determine whether there was in such printed publications anything that, in the opinion of that officer, was improper to be published, and if so, he might suppress the circulation of the paper and cast it out of the mail. The Constitution of the United States had that practice in view at least. All the writers on Constitutional law say that a censorship of

the press, which had been tolerated and allowed, must have been in the mind of the people when this provision of the Constitution was enacted. Is there any difference, practically, in principle between that practice and this bill so far as it affects papers in the United States mail? I do not take the ground that Congress cannot forbid impure advertisements in this district by virtue of its authority to establish local government for the district. That power is distinct from the power to regulate the mails. Casting a paper out of the mails, under the provisions of this bill, is done on the assumed power of the Government to re-establish a censorship of the press. If the press is to be cast out of the mails, some officer must do it. He reads the paper, finds it objectionable in his opinion, and throws it out. If a paper can be suppressed after it is published, why not have some system of observation and inspection of what is going into it, before it is published? Why not require publishers to submit all manuscript to a Government officer in advance?

In my judgment this bill violates the constitutional provision which forbids a censorship of the press. The Constitution does not permit Congress to pass a law to suppress or stop the circulation of newspapers.

The power to punish individuals for vicious publications, is in the States, and not in the Federal Government. Such punishment must be confined to parties actually doing the forbidden act, and cannot be extended to those innocently engaged in, and making their livelihood out of the publication of the paper itself. This bill contemplates that some officer shall exclude newspapers from the mail, if such publications appear to him to be such as are by this bill declared non-mailable. He will do this, if this bill pass and is enforced, upon his own inspection of the paper. He hears no evidence, has no judicial power or modes of procedure to guide him to a correct conclusion. There is no appeal from him. No right to have the real character of the publication judicially interpreted or construed; nor is the punishment for the publication limited to the parties actually doing the prohibited act. What is this but the re-establishment of a censorship of the press. Each postmaster throughout the Union is made, by this bill, a distinct censor. He is judge, witness and executioner, all in one, holding the liberty of the press absolutely in his own hands.

An independent press is protected by the American Constitution. The power to suppress it is abolished. The power to punish individuals, after a judicial trial, for an abuse of the freedom of the press, is distinct from the power to stop the circulation of a newspaper. The freedom to publish includes the freedom to circulate. The press in this country gives the initial impulse to progress. It quickens public thought, stimulates morality; is the vigilant and sleepless observer of encroaching evil, and when wisely conducted the reliance of a free people. This being the estimate of its value by our civilization, a constitutional inhibition in its favor rests upon all departments of Government. Never, in the history of Congress, until now, has it been proposed to place the circulation of the press in official hands and subject its contents to Governmental censure.

This project is un-American, subversive of law, and offensive to liberty.

CAN THE POST-OFFICE DEPARTMENT BE AUTHORIZED TO DENY THE MAILS TO A STATE CORPORATION?

The second subject involved in the bills now pending, is the assumed power in Congress to exclude from the United States mails operating within the boundaries of a State, the business communications of a corporation created by such State, offered for transportation in the State, to be conveyed to other points in the same State. This question cannot be confounded with the right in the United States to exclude from the mails obscene communications. Whether the Government can do the latter or not, is not now up for inquiry. The communications in whose favor this argument is made, are business communications of a lawful corporation, created by a State. Said corporation is a municipal constituent of the State itself. The State derives a part of its revenue from it. Hence, if the United States has power to reject the business communications of such a corporation, declared by the highest court in the State to be lawful, and by the Supreme Court of the United States as well, such power puts the Federal Government in direct hostility to the State Government, which is impossible under a correct interpretation of the system under which we live. The Constitution of the United States presents the sovereign power of one government in two divisions. There are not strictly two governments, Federal and State, but one government with sovereign power, distributed into Federal and State jurisdiction. The Constitution contains enumerated grants of power to the Federal Government. It contains also a preservation of sovereign power different from the sovereign power conferred upon the Federal Government to State Governments. State Governments, under the Constitution of the United States and under uniform decisions of the Supreme Court, are as sovereign within their sphere of domestic government, as is the United States in the sphere of granted power to it. An institution created by sovereign power in either one of the divisions of sovereignty above mentioned, commands the protection of the other division. The whole system of government is entirely sympathetic and harmonious throughout its extent, and it is legally impossible for one division of power, under the same constitution, to be operated in hostility to institutions which spring from the other division of power.

The Constitution of the United States is as much committed to the preservation of power in the States, which that Constitution declares in express terms is reserved to the States, as it is in upholding granted power to the Federal Government. The institution whose rights are here under question, being legally created, includes in its very Constitution the right to preservation after it is created. The right to create, includes the right to preserve, when created. If the State has the power to create an institution and lives in a system of government where part of the sovereign powers of the government have been conferred upon certain agencies other than the State, those other agencies operating in legal sympathy with the States must, in the

very nature of their logical and legal relation to the State, preserve that which the State has legally brought into existence.

That was settled long ago. When the United States created the first National bank, Maryland did not like it. Maryland said, we will tax it, and in that great controversy came an adjudication, which has stood as a pillar of light to the tribunals of this country ever since. This was said by the Supreme Court: "The whole case depends on this proposition. The power to create implies the power to preserve."

McCullough v. Maryland, 4th Wheaton, 426.

A power to create implies a power to preserve. Where does the power to preserve become separated from the power to create? Louisiana has the power to create, which is power to guarantee it Federal favor and Federal protection. If Louisiana has the power to create and the Federal Government is acting in concert with Louisiana in carrying out and promoting her domestic welfare, then the power to preserve is in the United States Government, and the duty to preserve is there also.

The counter proposition is: That power to destroy, if wielded by a different hand, is hostile to, and incompatible with, the power to create and preserve.

The Federal Government is committed, by the Constitution of the United States, to an affectionate solicitude for the preservation of all lawful institutions, of all the States. It cannot be estranged from the lawful institutions of the States. Congress has no power to create them, neither can it burden or impair them. It can, and must, protect them. Thus State independence, and the right of local self-government is nourished by the Federal system. Personal liberty, and general enlightenment and independence in local matters is quickened and strengthened in the seats of local power, and the whole system is made unassailably strong.

A power to destroy is hostile to, and inconsistent with the power to create. If there be legal power to create, protection to the thing created follows the power of creation and is a part of it. It commands in law protection, wherever it goes, until it meets with some counter independent power, having equal jurisdiction. But the Federal Government has no such counter power to Louisiana as Mississippi bears to Louisiana. When Louisiana acts legally within her dominions and speaks into life an institution, the Federal Government takes it up affectionately, not grudgingly—not with a frown and display of displeasure—but with an affection which shelters it under the Federal Government. If it were a railroad corporation no one would come here and insist to this committee that it should be excluded from the mails. I do not stand upon the question whether it is a good or bad institution in the abstract. It is enough to know that it is lawful; and being lawful it is not open to assault by the very government that gives it lawful character.

The Supreme Court of the United States say

"The result is that the States have no power, by taxation or otherwise, to retard, impede, burden, or in any manner control the operations of the constitutional laws enacted by Congress to carry into execution the powers

vested in the general government. This is, we think, the unavoidable consequence of that supremacy which the constitution has declared."

Is not the converse of that proposition true that the United States cannot burden, impair, or in the slightest degree control any exclusive power that the States have? Does it not follow that if the States are equally independent of Congress in constitutional contemplation, if they are equally sovereign with the United States in the matters which are confided exclusively to them, that the United States cannot retard, impair, or in any manner control the institution which the States create out of their reserved power, which the Constitution guarantees to them?

One word more. I allude again to this case:

"We are relieved, as we ought to be, from clashing sovereignty; from interfering powers; from a repugnancy between a right in one government to pull down what there is an acknowledged right in another to build up; from the incompatibility of a right in one government to destroy what there is a right in another to preserve. We are not driven to the perplexing inquiry, so unfit for a judicial department, what degree of taxation is the legitimate use, and what degree may amount to the abuse of the power. The attempt to use it on the means employed by the government of the Union, in pursuance of the constitution, is itself an abuse, because it is the usurpation of a power which the people of a single State cannot give. (p. 436.) The court has bestowed on this subject its most deliberate consideration."

If Congress has power to exterminate that which Louisiana has the power to create, then I need not argue this question. If not, I am right.

The commerce of this country is divided into domestic and inter-state commerce. The adoption into our system of government of the mail system for the transmission of intelligence, was an adoption of it for the benefit of both classes of commerce recognized by the constitution, of which the power to establish post-offices and post-roads is a part. By the constitutional adoption of a system of transmitting intelligence, it is by implication declared that that system is necessary to promote the commerce which is by the same Constitution recognized as lawful. The States made an exclusive grant to Congress of the power to establish post-offices and post-roads. The Constitution, in making this grant, reserved to the States the exclusive power to manage their own domestic concerns in their own way. It is as essential to the prosperity of domestic commerce that a system of transmission of intelligence in respect of the same be opened to persons engaged in that commerce, as it is that the system be available to those engaged in inter-state commerce. The United States, therefore, took the granted power to establish post-offices and post-roads, in trust for the States, and for all persons engaged in lawful business in the States, as well as for the convenience of those engaged in inter-state or international commerce.

Louisiana has not concurrent power with the Federal Government to institute and maintain a mail system, because it would deplete the revenues of the Government, and it would throw confusion into the system of transmission of intelligence, and therefore the United States Government has the exclusive power to transport the United States mails in the State of Louisi-

ana. Still, in transferring to the United States Government the exclusive power to transport the mails, the Constitution of the United States reserved to Louisiana the right to carry on her domestic commerce in her own way. In carrying on her domestic commerce she must have some system of transporting intelligence, or of the transmission of intelligence. All the States in adopting the Constitution of the United States, unite in the declaration that the mail system was the system adopted. Now, will any one say that when the Federal Government took exclusive power from the hands of Louisiana, and at the same time left in the hands of Louisiana the absolute right over nine-tenths of all those matters which affect her prosperity, that Louisiana contemplated that the Federal Government should hold the mail power as an independent power, with the right to exclude Louisiana and nine-tenths of the matters of government over which she had retained jurisdiction, and which involved her domestic commerce, from the benefits of the mail system? All conferred Federal powers are held in trust for the people of the United States. They are held in trust for the States and the lawful institutions of the States. The Constitution of the United States contemplates the formation of States and the creation by them of lawful business agencies. States were formed before the Federal Government was formed. The rights of citizens to life, liberty and property existed prior to and are guaranteed by the Constitution of the United States. This was a system to promote the general welfare; not the general welfare as Congress might choose to interpret it, but the general welfare accomplished and wrought out under limitations and restraint expressed in the Constitution of the United States. Congress may do whatever in its judgment promotes the general welfare of the United States so long as it keeps within constitutional limitations. Beyond that the general welfare has no judicial or constitutional existence or meaning whatever. If the United States can withdraw the privileges of the mails from one institution of Louisiana, why not withdraw the privileges of the United States mails from every other institution of Louisiana? If Louisiana sets up a lottery company by which to replenish her revenues, and thereby make such company a constituent in the local government of Louisiana, can the Federal Government withdraw the privileges of the mails from that institution? If so, may the Congress not take one step further and withdraw the whole mail system from Louisiana itself? If Louisiana does not govern herself in conformity with the judgment of Congress, why not take away the whole mail system? Why not cease to deliver the mails to a State that does not conform its judgment to the judgment of Congress? If you can snatch it away from one State, then you can take away the reserved power of every State by crippling its use, and leave the States in a condition of absolute desertion and desolation. I say the question is not debatable whether it may exercise this power as it sees fit. The Federal Government must exercise it as a trustee.

If the Federal Government holds absolute power, then is sounded the knell of Constitutional Government in this country. It is as much the duty of the Federal Government to uphold the sovereignty of a State as it is to uphold its own sovereignty.

Congress, it is stated, has power to declare what shall and what shall not be transmitted in the United States mail. This is true to a certain extent. Congress may make exclusive regulations concerning the size and weight of packages to be transmitted in the mails, and the charge that shall be collectible for such transportation, but Congress has no power to say that the Chairman of this Committee shall not, after a certain date, receive or transmit communications through the United States mails; neither can it lawfully say that a State shall not receive or transmit communications through the mails while it permits other States to do so. This would be arbitrary power and not constitutional Legislative power. Congress can refuse to make any appropriation for the mails, but this would be revolution, not a constitutional administration of the power to establish post-offices and post-roads.

The very essence of legislative power is uniformity in the operation of laws when made. For instance, the Court of Appeals of the State of New York held that it was not competent for the Legislature of that State to make an act of an individual a felony in one county only in the State, and to make the same act a misdemeanor when committed in other counties in the State. That while there was no express provision of the Constitution of New York which forbade such legislation, yet it was in the very nature of legislation itself that it should be uniform throughout the geographical jurisdiction over which the Legislature of New York had the power to act. Congress cannot, therefore, lawfully make provisions for carrying the mails in the North and at the same time decline to carry the mails in the South. Arbitrary power is reposed in no government. It can neither be conferred or received.

Hence the legislative power, to be consistent with a constitutional grant of power, must be uniform and equal in its operations. The power to establish post-offices and post-roads was deposited with the Federal Government, not for the use of the Federal Government alone, and not as a part of the exercise of Federal jurisdiction alone, but for the benefit of all the people of the United States engaged in lawful business. An appropriation for carrying the mails, which confines mail matter to communications between Federal offices or to Federal business, and to communications which relate to interstate and international commerce alone, would be oppressive and unconstitutional because such legislation would be sectional, special and therefore contradictory to the grant of power to establish post-offices and post-roads for all alike. Such power includes the right to establish a system of mails for domestic and State commerce, and where an exclusive right is granted for such purpose it carries with the right a duty to exercise it to the extent of the constitutional demand for it. Hence the statement that Congress may determine what shall go into the mails and what shall not go into the mails must be accepted with these qualifications.

Judge Field, in *ex parte Jackson*, 96 United States, said:

"The difficulty attending the subject arises not from the want of power in Congress to prescribe regulations as to what shall constitute mail matter,

but from the necessity of enforcing them consistently with rights reserved to the people of far greater importance than the transportation of mail."

The reserved power of the States cannot be broken down by the use of power to regulate the mails.

It is generally asked, during the discussion of this question, whether the argument extends so far as to deny power in the Federal Government to exclude from the mails obscene matter. If it were conceded, for argument, that the Federal Government might exclude obscene matter from the mails, that would not impair the argument that it cannot exclude matter not obscene. The argument here presented is limited to the support of the right of a legal business corporation to have access to the United States mail. In supporting that right, the question whether Congress has power to deal with other matters as it may see fit is, it seems to me, not pertinent.

There are many acts which are technical wrongs, but which do no legal injury. For instance, an intruder may be put out of a gentleman's house without legal process, and, if not handled too roughly, he has no legal complaint, because he had no legal right to be there. Many illustrations of this principle could be given.

Obscene matter has no legal status to vindicate itself in any tribunal, and hence it is like an intruder. It may be put out of the way by anybody and no legal redress is furnished for such treatment; but if a case arose where it was debatable whether certain matter was obscene or not, and the authority having exclusive and final jurisdiction over it decided that it was not obscene, the question of obscenity could not be collaterally raised by someone else interested in giving it an obscene character. The Government of the United States has no power through its Congress, or its departments, or its courts, to question collaterally the character of an institution which springs from the reserved power of the State, and which the State alone has power to create. The institution being the offspring of sovereign legislative power in the State, there remains no hostile power anywhere else under a harmonious system of government to question the legal character of such institutions. It cannot be lawful and unlawful at the same time under the same system of government.

In *Welton vs. State of Missouri*, 91 U. S. 281, it is said that:

"The power of the State to exact a license tax of any amount being admitted, no authority would remain in the United States or in this court to control its action, however unreasonable or oppressive."

Doyle vs. Continental Ins. Co., 94 U. S. 541.

"If the State has the power to do an act, its intention or the reason by which it is influenced in doing it cannot be inquired into. Thus, the pleading before us alleges that the permission of the Continental Insurance Company to transact its business in Wisconsin, is about to be revoked, for the reason that it removed the case of *Drake* from the State to the Federal courts.

"If the act of an individual is within the terms of the law, whatever may be the reason which governs him, or whatever may be the result, it cannot be impeached. The acts of a State are subject to still less inquiry, either as to the act itself or as the reason for it. The State of Wisconsin, except so

far as its connection with the Constitution and laws of the United States alters its position, is a sovereign State, possessing all the powers of the most absolute government of the world.

"The argument that the revocation in question is made for an unconstitutional reason cannot be sustained. The suggestion confounds an act with an emotion or a mental proceeding, which is not the subject of inquiry in determining the validity of a statute. An unconstitutional reason or intention is an impracticable suggestion, which cannot be applied to the affairs of life.

"If the act done by the State is legal, is not in violation of the Constitution or laws of the United States, it is quite out of the power of any court to inquire what was the intention of those who enacted the law."

Congress could not repeal the charter in a direct act. It is a well-known legal maxim, that what cannot be done directly, cannot be done indirectly. The Supreme Court of the United States has held that the institution whose rights are here being discussed is lawful under the constitution of the State creating it, and is also such an institution as is commended to the protection of that provision of the constitution of the United States which declares that no State shall pass a law impairing the obligation of a contract. This decision brings this very institution forward into and under the recognition and protection of the Constitution of the United States. The Federal Judiciary upheld this institution because it was legally bound to do so. The Federal judiciary was exercising Federal jurisdiction alone when it made this decision. The Congress is a co-ordinate department of the Federal Government. If there could be hostility, which it is denied can be, between Federal agencies and State agencies, when their powers are properly interpreted there certainly cannot be legal hostility between different departments of the Federal Government. If there is a constitutional obligation resting upon the Federal judiciary to uphold this institution, there cannot be constitutional permission in Congress, another department of the same government, to overthrow the institution. One department of the Federal Government must certainly act consistently with the other departments. This bill would deny the right to transmit in the mails of the United States the very papers upon which the decision of the Supreme Court, upholding the institution, was rendered. This argument does not extend to the proposition that because one State has given birth to this institution that, therefore, other States are constitutionally obliged to extend their hospitality to it. Each State has supreme power over its own morals and health, and and the domestic welfare of its own people, and each State may exclude from its own borders anything coming from another State, which impairs the health and morals, or welfare of the people of that State. One State cannot exclude cotton, grain, wheat, or bacon produced in another State, because the admission of such products does not affect the health or morals or welfare of the people of the State seeking to exclude them. This argument deals alone with the constitutional relations of a State to the Federal Government, and not to the relation existing between State and State. It is admitted that each State in its domestic concerns is independent of all other States. But the Federal Government has nothing to do legally with the health or moral status of a State, because the State cannot

have exclusive jurisdiction over those subjects and at the same time share that jurisdiction with the Federal Government. The States are abundantly able to protect themselves in this respect. This was illustrated some years since in an application made by the people of Mississippi to the Federal Government to exclude from the mails newspapers which advocated the abolition of slavery. The Attorney General's Department decided that the Federal Government could not search the mails to find communications objectionable to the people of different States and cast them out of the mails when found. That that was no part of the jurisdiction of the Federal Government, but that each State determined for itself what was hurtful to it, and dealt with the introduction to the State and the circulation therein of matters deemed hurtful; that if Mississippi felt aggrieved by the circulation of papers claimed to be incendiary in their teachings, Mississippi could suppress the circulation of such papers within the State, if any power existed anywhere to do so, and that the Federal Government had nothing to do with the subject.

There is a growing disposition in politics to look with indulgence upon an expansion of Federal power, though such expansion correspondingly subtracts from the constitutional dignity of the State. This disposition is sometimes expressed in the statement that the nation should be spelled with a big "N." If this expression is intended to indicate increasing reverence for the Federal Government, the "N" cannot be too large. If, however, it signifies that the Federal Government is of greater constitutional importance than the States, and should be made more powerful by construction and the States less so, there is no Constitutional support for this disposition. It is at war with our political philosophy. If the "N," which denotes the Federal Government, is to grow in size, so ought the "S" also, which represents the States. There is no constitutional warrant for changing the relation between the different hemispheres of State and Federal power as marked off and defined in the constitution of the United States. There have been, under other systems of government, methods of local administration. This Government is the first, however, to establish independent and sovereign local governments wherein supreme, legislative, executive and judicial power over domestic affairs is established. The Constitution of the United States has created an indestructible Union of indestructible States, as has been so well and so frequently declared by the Supreme Court of the United States. It is held by that great tribunal that while the States might survive the Union, the Union could not survive the States, because the United States Government was a Government of united, independent and sovereign States. Legislation in Congress therefore, which abridges or impairs in the slightest the local and domestic independence of the States, is legislation unjustified by the Constitution of the United States, and indeed prohibited by it. The United States Government cannot, in contemplation of law, take offense at any institution which a State has the power to create. The Federal Government has no power to be supercilious with or to turn aside from an institution created by the

States. So long as a State Government operates within its exclusive jurisdiction it cannot be suspected of wrong. No impurity can be imputed to the institutions which it has the legal power to and does create.

The official class holding offices under the Federal Government are but representatives of the people of the several States. They cannot, in their representative capacity assume wisdom greater than is possessed by those who elect them as representatives. Hence there is no legal or real superiority in the Federal Government or in its officers which endows it or them with constitutional power of criticism, or of censorship of what the States may do. If there be a difference between the dignity of reserved power and power granted, that difference is in favor of power reserved. The same people who granted power to the Federal Government reserved certain other power to themselves, feeling that they could use the power not granted more advantageously to themselves than if they had granted it. That was the reason for reserving it. The source from which power springs is higher in law than the instruments to which power is granted, and hence all the currents of presumption run in favor of the superiority of the people and of the power reserved by them. It is illogical, unreasonable and unconstitutional to hold that power granted to the Federal Government can be legally used to impair the efficiency of institutions legally springing from the power reserved.

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